

4-29-2018

05 Notes - Court Martial I

Krikor Guerguerian

Follow this and additional works at: https://commons.clarku.edu/kayseri_trial

Recommended Citation

Guerguerian, Krikor, "05 Notes - Court Martial I" (2018). *Kayseri Trial*. 5.
https://commons.clarku.edu/kayseri_trial/5

This Book is brought to you for free and open access by the Private Materials (Archive 2) at Clark Digital Commons. It has been accepted for inclusion in Kayseri Trial by an authorized administrator of Clark Digital Commons. For more information, please contact mkrikonis@clarku.edu, jodolan@clarku.edu.

~~14~~ 26 m. f. Suck

	<u>62</u>
1- Secret Society	6
2- Ali Munif	2
3- S. Society	2
4- The Master and his Seal	4
5- Cent. Committee	7
6- Russo-Turkish agreement	5
7- Tel. of Talaat, 10th May	2
8- Collection of Doc.	1
9- Two Faces	2
10- State Policy	4
11- Tel. of Talaat, May 10	2
12- Taksin's Reply, 11	5

13-	Preface	5
14	"	5
15-	Deportation	10
16-	Committee's crimes	2
17-	Premeditation	2
18-	Senate Meeting	7
19-	Exclusion (property	3
20 -	1910	7
21-	Convicts released from prisons	1
22 -	Talat in Sivas	1
23-	Off Testimony	5
24-	Secret orders	5

25-	Statement of Avni Pasha	1
26-	<u>Sabah</u>	1+1
27-	Draft of Law	6
28-	Decision to annihilate (10 art)	2
29.	Off. Proclamation	3
30-	Mode of application	23
31-	Ab. Goods' Regulation	3
32.	Law 1927	1
33-	M. Kiamil Pasha, teleg.	3

THE ARMENOCIDE STATE POLICY

The Armenian scholarly community's persistently ~~negligent~~ negligence is not still dissipated, and the Turkish willful invincible ignorance may still continue. Even the Imperial Edicts ~~are~~ are introduced to the public as a revelation ~~after seventy~~ two years.

The documentary evidence includes mostly Imperial Edicts, ~~are~~ sanctioned by the Sultan-Khalife Emperor and respectively signed by the cabinet members, and published in the Turkish official journal TAKVİM-I VAKAYİ.

Not one scholar or supposedly objective historian in the world had ~~even~~ ^{an} ~~in~~ inkling ~~of~~ ^{of} the real existence of such

Imperial Edicts, as Turkish Osmanli is a dead language since the beginning of the Turkish Republic in 1924³.

The German and Austrian allies of the Ottoman Empire Turkey, have never ~~made~~ ^{alluded} allusions to the publication of such Imperial Edicts or legislations of the Armenocide.

Even the Turkish Extraordinary Court Martial trying ~~the~~ ^{members} both Cabinet ministers of War and Union and Progress Party leaders, ~~did~~ ^{made} never make any allusions relative to the existence of Imperial Edicts, key-documents, while officially collecting official documents concerning the Armenocide.

The law of deportation, in its original form, is an Imperial Edict, comprising four articles.

↳ Takvim-i Vekayi No 2189.

But the original form was ~~detrun~~cated by Turkish authorities in 1916. 2 In its new form it is no ~~more~~ ^{longer} an Imperial Edict.

2. The official document was simply distorted by Turkish authorities in: « Ermeni Komitelerinin amal ve hareketleri ihtilâliyesi ilânı » Mezrutîyetten evvel ve sonra İstanbul 1333-1916; pages 237-238, in footnote.

French translation: « Aspirations et agissements révolutionnaires des Comités Arméniens avant et après la proclamation de la Constitution Ottomane. » Constantinople, 1917, p. 316, in footnote.

This extensive pamphlet was published by Turkish authorities to justify the Armenocide.

TWO FACES

Turkish Court Martial trying cases of deportation and massacre of the Armenians distinguished two faces of the Union and Progress Party: one apparently acting in accordance with the provisions of law, and the second in accordance ^{with} ~~to~~ its secret goals realizing ^{these} through ~~the~~ conspiracy and criminal acts.

Mezkûr iddianamede
ittihat ve Terakki Cemiyet-i
biri programa ve nizamna-
me-i dahiliye müstenit
zahiri ve âlemi, diğeri
talimat-ı şifahiye ve mah-
remaniye mütbeni mestur
ve hâfi iki mahiyet-i
müttezateyi câmi olup
delail ve beahini mevcud
müeddasından şahsiyet-i
masneviyesinin bir silsile-i

The above mentioned indictment proves that the Committee of the Union and Progress Party had two contradictory faces and ^{2 characters} characters; one of these faces was of the external Union and Progress acting in conformity with the internal by-laws; the other face was of the secret and conspirational Union

2

7

ki fal ve şarat ve sui-
istimalat ile maznunu-
aleyh bulunduğui ve icraatı
vaktiasından mütevellit
mesuliyeti kanuniye
müttehimmil elması
cemiyetler kanun-u ahkâmı
seriyesiyle müeyyet olan
cemiyeti mezkûrenin balada
mezkûr el esami rüesa-i
mukimme ve orkân-ı
mütemeffisesinin mabihül
maznuniyet izah ve

and Progress acting in con-
formity with oral and cri-
minal instructions. Docu-
ments and evidence in
possession of the Court
affirm and confirm that
the moral image of the
Party is marked by an
unending chain of massacres,
plunderings and abuses.
The responsibility for the
crimes committed weighs
heavily upon the Party. 1

put here photo.

1. Takvim-i Vakayi, No. 3540, session of
April 27, 1919. published May 3, 1919, p. 4.

The text was already prepared on April 12,
and read in the session of the Court Martial
in presence of both War Cabinet members and the U.P.
party leaders at the same time.

Secret Society

The Union and Progress Party of Young Turks was a secret society and it ~~remained~~ ^{worked} always ^{as a} secret society up to its apparent dissolution in October of 1918. The secret society had many secret teams. It considered itself as a government ^{within} ~~in~~ the legal government, a government having ~~a~~ Supreme power over the executive ^{and} ~~power over~~ of legislative ^{branches} ~~powers~~.

Dr. Tarik Z. Tunaya, a ^{Turkish} professor of jurisprudence ^{at} ~~in~~ the University of Istanbul, published a book, in 1952, and ^{introduced} described the Young Turkish Party ~~(it self)~~ as a Secret Society hidden behind the walls and iron

2

doors ~~closed~~ of a ~~castle~~ ^{fortress}.

"The Union and Progress Party, said the professor, "fired Abdul Hamid, but replaced him by a Central Committee of the Party, that is to say formed a ^{clique} click whose power was hidden in a closed ^{fortress} castle; the country, the king, or the government, the council or administration no longer had any importance at all; all decisions were made ^{behind} beyond the curtain. This was the Central Committee and the great empire was in the hands of the eight (1) member Committee.

1- IN 1908, the secret team of the UNION and Progress Party comprised eight member; in 1913 the number raised to twelve.

" The party (~~a kind of committee in the General Assembly~~) and the deputies were in the hands of this secret team beyond the curtain forming an automatic outside execution.

" All the affairs were managed by the secret methods; the relation between the organizing Committee and the Party was settled within an abnormal stability.

" When this secret oligarchy was unable to convince its opponents, had a hand upon its ~~his~~ gun ready to destroy; even the contrary proved to be a fact, even according to the Constitution.

" Opponents of the secret team were under severe pressure from the secret organization

such as "the under ground, the conspiring
committee hidden in castle, the Den of
Plot..."

2. Dr. Tarik Z. Tunaya, professor of juris-
prudence at the University of Istanbul:
Türkiyede Siyasî Partiler, 1859-1952.
Political Parties in Turkey, ~~1859-1952~~, Istanbul
1952, p. 182.

Secret Society.

Many influential members of the Party insistantly made serious suggestions to change the attribution of "Revolutionary and Secret Society", to "regular authorize^d party" according to the provisions of the Ottoman Constitution. However, Young Turks and their Central Committee rejected such suggestions and did not accept ~~and~~ any changes from illegism to legalized statute.

Ali Jemani Bey, Deputy ~~for Aintab~~ in the Ottoman Chamber, representative for the district of Aintab, deeply involved in the extermination of the Armenians of his own district, wrote a letter from the prison of

2

Malta to the British High Commissioner in Istanbul, dated July 7, 1920. He revealed that in 1913 he had proposed to his Party to change from "secret society" to a "regular Party", but prominent leaders refused his suggestion. 1

The Union and Progress Party from its very beginning to its apparent dissolution (October 1918) was at the same time a political party and a secret society.

1- P.R.O., London, No W 290.

A Short Order of Talaat

Turkish police held an investigation in the General Headquarters of the Union and Progress, Nour-el-Osmanieh, Constantinople, and found the following telegram signed and dispatched to the Sub-Committee Young Turkish Club of Malatia:

" Destroy all the Armenians
who are driven and gathered in
your district, I assume entire
moral and material responsibility!

1- The telegram of Talaat is published in Sabah, Turkish daily, December 12, 1918.

Many massacre sites were pre-established in the district of Malatia. Armenian deportees from Erzeroum, Trebizond, Sivas and Mamuret-ul-Aziz had to ^{be} ~~cross~~ ^{directed to} ~~over~~ the massacre sites.

Telegram ordering to exterminate
Armenians

ON December 12, 1918, the Turkish daily Sabah published a coded telegram despatched by Talaat Bey, Minister of Internal Affairs, to the Union and Progress sub-committee of Malatia. The same telegram was found in Nour-el-OSmanieh # during the investigation held by Turkish police;

"Destroy all the Armenians who are driven and gethered in your district.

"I assume entire moral and material responsibility."

1. Emphasis added.

The Confession of a Turkish Minister

Ali Munif Bey, very deeply involved in the massacres carried ~~up~~^{out} in Lebanon, as well as in the province of Cilicia, was confined in Malta prison ~~Ne~~.

In a letter written from Malta, Ali Munif Bey, minister of Public Work, in the Cabinet of Talaat Pasha (February 1917 - October 1918), tried to excuse and introduce himself as ~~an~~ innocent.

As Ali Munif was not a minister, when the Council ~~an~~ of Ministers discussed and made a decision to deport and massacre the Armenian population. Ali Munif did not

did not indicate the exact date when the Turkish ministers approved to carry out the extermination of the Armenian race decided and proposed by the Central Committee of the Union and Progress Party.

However, Prince Abdulmejid, asked ENVER Pasha, Minister of War, precisely prior ^(July 1914) to the beginning of War, if the massacre of the Armenians was included in the program.

★ ENVER Pasha's answer was positive and definitive. 1

1. P. R. O: London, No 11834/1670, Ali Mu-
nif's Letter dated October 19, 1920.

La Renaissance, No 10, December 14, 1918,
from the Orient Post.

Secret Society

From its foundation to its apparent dissolution, The Union and Progress Party was a secret society apparently covered by the name of political party.

To use the power of conviction, ^{Union} ~~party~~ members had always one hand on the weapon if the power of ~~conf~~ conviction was no ^{longer} more in force.

The Party occupied by violence the Ottoman Government on July 1908; ^{de-throned} ~~de-throned~~ the Sultan ^{and} replaced him by the Central Committee, ^{The} Union and Progress being the master and the Sultan being a Seal according to the expression of Dr.

Nazem Bey, a member of the Central Committee.

Union and Progress had signed an agreement in Paris, 27 December 1907 with the Armenian Revolutionary Federation, and few months ^{later,} ~~after,~~ ^{on} April 1, 1909 organized and carried out the massacre of the Armenians in the province of Cilicia, always apparently stating ~~the~~ ^{one} the responsible ^{for} of the massacre was Sultan Abdul Hamid already fired and replaced by the Central Party; the later organized the massacre in Adana. 1

1. Babigian's report.

[put this at the end]

La Mort de Stamboul
considérations sur le Gouvernement
des Jeunes Turcs.

by Victor Bérard,

Librairie Armand Colin. Paris, 1913.

p. 389.

"The greatest mistake committed by Young Turks was the decision they made to exterminate, little by little, not only all the Christians who directed bands, or insurrectional committees during the old regime, but also those who played a predominant role in European Turkey during the revolutionary period. This extermination ^{started} ~~began~~ immediately after the proclamation of the Constitution (July 24, 1908), continues according to a project very well scheduled and with a perseverance, that it is completely impossible to consider the successive murder as private ~~re~~ revenges or unfortunate cases.

2

It is now ~~a~~ public knowledge ~~today~~ ^{was} that such extermination ~~continues to be~~ carried out by ~~a~~ ^{certain} little ~~groupes~~, in ~~an excessive~~ ~~secrecy~~. These Fedais and continues to be carried out by certain little groups organized under the guidance of Young Turkish Committees ~~activated~~ acting in ~~most~~ ^{the} ~~great~~ ^{est} Secrecy. These Fedais are recruited ^{from} ~~among~~ the police agents and officials, ~~among~~ the officers of gendarmerie and even ^{the} ~~an~~ army. Thanks to the protection of the authorities and of the most influential members of the [Committee Union and Progress], they were successful to ~~an~~ ^{the} ~~murder~~ ^{ing} more than 50 gang chiefs or former comitaji's.

The Master and His Seal X

As an ideologist of the Union and Progress Party, Dr. Nazem Bey used a very interesting expression: "The man and his seal", the man being the Central Committee of the Union and Progress Party and the seal being Sultan Reshad V. 1

Dr. Nazem emphasized his idea in Smyrna on August 15, 1909, making a declaration to reporters: "Constitution", "Elections" and "Parliament" are "explicitely empty words". 2

1. La Mort de Stamboul, by Victor Bérard, Paris, 1913, p. 296.

2. Op. Cit. pp. 296 - 297.

2
"Putting the Sultan in the impossibility of doing harm, we used his presence on the throne... because we wished absolutely to eliminate the possibility of European intervention. The Khalife still possesses moral authority; we need therefore that he put his signature on our decisions". 3

According to young Turkish ideology, the Sultan was only a "Phantom". 4

Because, "When a party is in power, the leaders of the party and the cabinet members are only a "phonograph

3- Op. Cit. p. 296.

4- Op. Cit. p. 298.

of the Caucus ». 5

« The Federal Government has been completely stripped (and shorn) of independence and responsibility. The discussions in the Chamber ^{are} only a formality. All decisions are made in advance. The bill that is passed may be considered adopted by the Chamber ». 5

The theocratic absolutism of the Sultan was replaced simply by the tyrannical absolutism of the Central Committee.

Young Turks seized by force violence

5. and 5, - Takvim-i Vakayi, No 3595,

The text is in French.

4

the control of the Power, and established
a despotic regime. 6

6. Tunaya, Op. Cit. p. 182.

The Central Committee

The Central Committee, according to the expression of Prof. Tunaya, was a secret society hidden behind the iron walls of a closed castle. The Sultan was a phantom, Constitution, elections, and Parliament ^(were) are "explicitely empty words".

The scholarly community has a right to find what was The Central Committee of the Union and Progress Party according to official documentation.

Transliteration

Mezkür iddianamede
İttihat ve Terakhi

Translation

Above mentioned indictment provides evidence

Cemiyeti bir program that the Union and Progress
 ve nizamname-i dahi. Party had two contradic-
 tiye müstahit Zahir tory faces and behaviour.
 ve âlemi, diğeri tali. One of these faces was
 mat-i şifahiye ve mah. the apparent Union
 zemanıye mütlâni and Progress acting in
 mestur ve hâfi iki conformity with internal
 mahiyet-i mütezateyi by laws; the other face
 câmi olup delaile was Secret and cons-
 ve berahini mevcude pitational Union and
 müeddâsından şahsi. Progress acting in con-
 yet-i maneviyesinin formity with oral and
 bir silsile-i kital ve ^{secret} instructions. Documents
 gazet ve suiistimalat and evidence in pos-
 ile maznunu aleyh session of the Court
 bulunduğ u ve icraat-ı affirm and confirm

vakıasından mütevel. that the moral image
 lit mesuliyet-i ka. of the Party marked
 nuniyeyi mütehammie by an unending chain
 olmasl cemiyetler of massacres, plun-
 kanunu ahkaml dering and abuses,
~~mezkür el esami rües~~ The responsibility
~~sât mahimme ve erkâ~~ for the crimes com-
 seriyesiyle müeyyet mitted weighs hea-
 olan Cemiyet-i mez- vily upon the Party
 kürenin balada mez.
 kür el esami rüesa-i
 mühimme ve erkân-ı
 müfeneffisesinin mabi-
 hül maznuniyet-i izah
 ve kendilerini isnat
 olunan ceraim bast

ve tehmüt edilmekte
 ve izan cümle geçen
 üçyüzotuz senesi Tem-
 muzunda rüesa-ı Cemiyetle
 bilistigara ilân
 olunan seferberlik
 üzerine Cemiyetin zinû-
 fuz erkânından olup

1. Takvim-i Vaki, No 3540, published
 in the official journal of the Turkish
 Government on May 5, 1919, pp. 4-8, contains
 the indictment signed by Prosecutor Nazmi
 Bey on April 12, 1919, and read officially
 in the Court on April 27, 1919, in presence
 of Cabinet Members and Union and Progress
 leaders.

1

The Central Committee

and

Two Cabinets.

The Turkish ~~minister~~ minister of internal affairs, blamed and condemned both precedent Turkish cabinets of Prince Said Halim Pasha (1914-1917) and Ahmed Talaat Pasha (February 1917- October 1918).

"A Government", he said, has to prosecute only guilty individuals.

"It is really regrettable that our leaders were inspired by banditery. They applied the law of deportation in a way so that the most audacious and bloodthirsty bandits could not do...

2

" The Government issued orders to exile Armenians to Zor, But had not even thought to settle them therein, and supply them food and protect them against the Arabic tribes.

" What was the real intention of the Government?

" Unfortunately it is impossible to deny or to cover the question,

" The Government wanted to exterminate them and really annihilated them.

" As it is impossible to deny that the decision was made by the influential members of the Central Committee of the Party and the Government carried out the decision.

3

"They preferred to annihilate
the Armenians". 1

1. La Renaissance, No 6, Saturday,
December ¹⁴~~16~~, 1918.

Turks Liars

The Change recently made in the German Embassy, here, is due to the fact that the former Ambassador¹ stated he could do nothing with the Turks, because they are ~~so~~ liars, et cetera... ^{such} 2

1. Ambassador Meternich,
2. National Archives, Washington, D. C. No 867,001/802. EFKAS
to Honorable Robert Lansing, Secretary of State, November 17, 1916

Turks Lying

"No. 139.

German Imperial
Consulate

Telegram

dispatched from Mossoul, August
14, 1915; received in Pera, August
15, 1915, German Imperial Embassy,
Constantinople.

"I read several German news papers.
Turkish official denials relating to
the massacres of Armenians.

"I was astonished upon the Naivety
of the Sublime Porte believing to remove,
by lying the reality of the crimes
openly committed by Turkish officials
trying to make believe.

Signed / Holstein!"

1- DUA, No 139, p. 182.

Feb. 8, 1914

THE FATE OF THE OTTOMAN EMPIRE

Text of the Russo-Turkish Agreement of

the 26 Jan./ 8 Feb

1 9 1 4

(Orange Book N°147)

An agreement was signed by
~~It is agreed between~~ His Excellency Mr. Constantin
Goulkevitch, Chargé d'Affaires of Russia, and His Highness
the Prince Said Halim Pacha, Grand Vizir and Minister of
Foreign Affairs of the Ottoman Empire, ~~that~~ *namely* simultaneously
~~to the nomination of the~~ ^{two} Inspectors-General at the head of
the two sectors of Eastern Anatolia; the Sublime Porte will
send to the Great Powers the following note :

"Two foreign Inspectors-General will be placed at the
head of the two sectors of Eastern Anatolia: M. A. ..., at
the head of that comprising the vilayets of Erz^er^oum, Trebi-
zond and Sivas; M. B. ..., at the head of that comprising
the vilayets of Van, Bitlis, Karpout, Diarbekir .

The Inspectors-General will have the control of the
administration, of the justice, of the police and of the
gendarmerie of their sectors .

In the case that the public security forces there
would prove insufficient, upon the demand of the Inspector-
General, the military forces should be placed at his dispos-
al for the execution of the measures taken within the bounds
of his competence .

The Inspectors-General revoke, according to *the circumstances* ~~case~~, all
"

functionaries whose inefficiency or bad conduct has been established by them, by referring to justice those guilty of offences punishable by the laws and regulations. They will be entitled to promote ^{for} nomination before the government of His Majesty the Sultan, ^{officials} the high functionaries. They will ^{advise immediately} ^{the competent ministries} of all the measures of revocation taken, ^{They will do so by} ~~the competent ministries~~ by telegraphic dispatches succinctly worded, followed within eight days by the file of these functionaries and a detailed exposé of the motives.

In grave cases, requiring urgent measures, the Inspectors-General will possess the ^{jurisdiction} right of immediate suspension towards the permanent functionaries of the judiciary order, on condition that the case be immediately referred to the Department of Justice.

In the cases where it has been established that acts have been committed by the Valis and necessitate the use of urgent and drastic measures, the Inspectors-General will submit the case by telegraph to the Ministry of the Interior which will immediately report to the Council of the Ministers that will ^{reach a decision?} ~~statuate~~ within a maximum period of four days following the reception of the Inspector-General's telegram.

The agrarian conflicts will be settled under the direct supervision of the Inspector-General.

More detailed instructions relating to the duties and assignments of the Inspectors-General will be elaborated after their nomination and with their cooperation.

In case that, within the term of ten years, the offices of the Inspectors-General would happen to be va_

cated, the Sublime Porte expects the favourable cooperation of the Great Powers for the choice of the said Inspectors - General .

The laws, decrees and official announcements will be published in each sector in the local languages. Each party will have the right to make use of its language before the tribunals and the administration when this would be deemed possible by the Inspector-General. The judgments of the tribunals will be worded in Turkish and accompanied, if possible, of a translation into the language of the parties .

The share of each ethnic (ounsour) element in the budget of the public instruction of each vilayet will be determined in proportion to its participation to the taxes levied for public instruction. The Imperial government will not make any impediment to the maintenance by coreligionist communities of the schools of their own .

Every Ottoman is bound to do his military service in time of peace and tranquillity in the region of the military Inspectorate in which he is living . However, the Imperial government will send, until further notice, ~~into~~ the remote localities of the Yemen, the Assir and the Nedjed infantry contingents enroled from all the parts of the Ottoman Empire in proportion to the populations inhabiting those parts; moreover, it will enrol in the navy the conscripts ~~taken~~ ^{from} all over the Empire .

The Hamidie regiments will be reformed into reserve cavalry. Their weapons will be kept in the military stores and will not be redistributed to them ~~but in case of~~ ^{except in the event} mobilization or of manoeuvres. They will be placed under the orders of the commanders of army-corps whose zone includes the cir_

cumscription to which they belong . In time of peace, the commanders of regiments , of squadrons and of sections will be chosen among the officers of the active Imperial Ottoman Army. The soldiers of these regiments will be subject to a year's military service. To qualify for admission in it , they will have to provide for themselves ^athe horse and its complete equipment. Any person, without distinction, as to race or to religion, within the circumscription, who would fulfill these requirements will be qualified for enrolment in these regiments. When assembled in case of manœuvres or of mobilization, these troops will be subject to the same disciplinary measures as are the regular troops .

The competence of the General Councils of the vila_yets is defined by the law of the 13th of March, 1329/1913 .

A definitive census — carried out under the super_vision of the Inspectors-General, in the shortest time which, ^{where}~~as much as~~ possible, will not be longer than a year — will establish the exact proportion of the different religions , nationalities and languages, in the two sectors . In the meantime, the members elect of the General Councils (Medj_lissi Oumoumi) and of the Committees (Endjumen) of the vila_yets of Van and of Bitlis will be half and half Moslems and non-Moslems. In the vilayet of Erzroum, if the definitive census is not made within a year, the members of the General Council will also be elected on the basis of equality, ~~like~~ ^{as} in the above-named two vilayets. In the vilayets of Sivas , Karpout and Diarbekir, the members of the General Councils will be , from this moment, elected on the principle of proportionality. To this effect, until the definitive census,

the number of Moslems electors will be determined after the lists that were used in the last elections and the number of the non-Moslems will be fixed after the lists which will be submitted by their communities. However, if material difficulties would render this provisional electoral system impracticable, the Inspectors-General will have the right to propose, for the distribution of the seats of the General Councils for the three vilayets of Sivas, Karpout and Diar_bekir, another proportion, conforming better with the needs and the present conditions of the said vilayets .

In all the vilayets where the General Councils would be elected on the basis of the principle of proportionality, the minority should be represented on the Committees (Endju_men).

The members elected to the administrative Councils will be, as in the past, half and half Moslems and non-Mos_lems.

Unless the Inspectors-General would see an objection to it, the principle of equality between Moslems and non-Mos_lems will be applied for the recruiting of the police and of the gendarmerie in the two sectors, in proportion as the of_fices would come to be vacated. The same principle of equal_ity will be applied, as much as possible, for the distribu_tion of all the other public functions in the two sectors."

In testimony whereof the above-named have paraphed? the pres^ent deed and put to it their seals .

(signed) GOULKEVITCH

(signed) SAID HALIM

Constantinople, the 26th of January/the 8th of Febr., 1914

Order dated May 10, 1915,
despatched by Talaat Pasha, Minister of Internal
a f f a i r s *of Erzeroum*
to Tahsin Bey, Governor-General to deport
the Armenians of the ~~Erzeroum~~ Province
to Zor and South of Mossoul.

Transliteration.

English Translation.

Şifre

Decipher:

Erzurum Vilâyetine:

Governor-General of Erzeroum:

Vilâyet dahilinde kura
mesken
ve kasabada sâkin/Ermeniler
e
minasibeti mevkiyle nazarı
dikkate alınarak, Van vilâye-
tiyle hem hudut olan kısmı
a
şimalisi müstesna olmak üzere
Musul vilâyetinin kısmı cenu-
bu ile
bisiyle Zor sancağında tarafı
ce
Hükûmeten^{ce} tayin olunan mahal-
ve
lere nakluiskân edileceklerdir.

Considering the local cir-
cumstances, the Armenians of the
towns and villages of your pro-
vince will be deported and set-
tled in the places to be designa-
ted by the Government in the san-
distric
jak of Zor and the south of the
province of Mosoul, except the
North of the same province bor-
dering the province of Van.

Mahalîi iskâniyelerine
a
vürut eden Ermeniler icab hal
u mevkiyle göre ya müteferrik
surette mevcut kura ve kasabatta
inşa edecekleri hanelere ve yahut

At the arrival of the Arme-
at
nians ~~to~~ the places of settlement,
they will be established according to
the circumstances, in the houses
they will build in the towns

tarafı Hükümetten tayin edilecek mahallerde yeniden tesis edilecekleri köylere yerleştirilecektir. Ermeni iskân edecek kura ve kasaba^{si}yle yeniden tesis edilecek Ermeni köyleri hududunun Bağdad^{si} şimendife-riyle iltin^{si}ak hatlarının diğer hududu ^{ceri}adeden la^{si} akal yirmibeş kilometre uzak bulunması şarttır. İcab^{si} eden Ermenilerin temini sevk u iskân-ı mahallî memurun iradesine aittir.

Mahalli iskâniyelerine sevk edilen Ermenilerin muhafaza-i can^{si} u mallarıyla temini iâşe ve istirahatları güzergâhlarda bulunan memurini idareye aittir.

Nakledilen Ermeniler kafe-i emvâl-ı menkule ve eşyaları birlikte götürebilir^{ler}.

Bu sevkîyat bittabi harekât-ı Harbiyenin müsaade ettiği mahallerde icrası.

10 Mayıs 331.

Dahiliye Nazırı: Talât.

1. St. James Archives, Jerusalem,
No W^P 571.

and villages situated ^{at} in a distance, or in villages they will themselves found in the places to be fixed by the Government. It is essential that the towns and villages where the Armenians will be settled, as well as the villages they will create, be situated at a distance of twenty-five kilometer from Bagdad railroad and its junctions. The local administrative authorities are charged to ensure the transporta-

tion and installation of the Armenians whose deportation is necessary. The local administrative authorities on the ways of deportation are charged to protect ~~the~~ life and possessions and ensure the rest, ^{the} and supplies of the Armenian deportees. The Armenian deportees have the right to take with them their furniture and possessions. It is understood that the transportation will ^{take} place in the localities where ~~the~~ war operations may allow.

May, 10, 1915.

Minister of Internal Affairs:
Talaat.

The President of the Court Martial
urging the Minister of Internal Affairs
to collect documents
concerning the deportation of the Armenians

Transliteration
from Turkish Osmanli
to Modern Turkish
in Latin characters.

English Translation.

Dahiliye Nezareti Celilesine:

Erzurum Murahhası Simpat
Efendiye dair Erzurum Valisi
Tahsin Bey tarafından 27 Tem-
muz 331 tarihinden Ağustosun
beşine kadar Dahiliye Nazırı
Talât Beye ve Talât Bey tara-
fından Erzurum Vilâyetine ve
yahut Erzincan Mutasarrıflığına
çekilmiş olan telgraflar suret-
lerinin heyet-i tahkikiyeye
tevziine müsaade-i celile-i
Cenabı Nezaretpenahileri erzan
buyurulmak babında.

[4 Şubat 331 K]

Tehcir Divan-ı Harb-i Örfi

Reisi: 1/

Decipher: Honorable Minister
of Internal Affairs:

order of/
We urge you by/the Honorable
authorities to send to the ^{inquiry} Investi-
gation Commission ~~the~~ copies of ~~the~~
telegrams concerning Sumpat Efendi,
Primate of Erzerum, dated ^{since} ~~from~~ July
July 27, (1915) to the fifth of August,
despatched to Talaat Bey, Minister
of Internal Affairs, and those despa-
tched by Talaat Bey to the Governor-
General of Erzerum, or to the Mute-
sarif of Erzincan.

[February 4, 1919 K]

The President of the Court Martial
for Deportation:

2

Order dated May 10, 1915,
despatched by Talaat Pasha, Minister of Internal
a f f a i r s
to Tahsin Bey, Governor-General to deport
the Armenians of the Erzeroum Province
to Zor and South of Mossoul.

Transliteration.

English Translation.

Şifre

Decipher:

Erzurum Vilâyetine:

Governor-General of Erzeroum:

Vilâyet dahilinde kura
ve kasabada sâkin Ermeniler
minasibeti mevkiyle nazarı
dikkate alınarak, Van vilâye-
tiyle hem hudut olan kısmı
şimalisi müstesna olmak üzere
Musul vilâyetinin kısmı cenu-
bisiyle Zor sancağında tarafı
Hükûmeten tayin olunan mahal-
lere nakluiskân edileceklerdir.

Considering the local cir-
cumstances, the Armenians of the
towns and villages of your pro-
vince will be deported and set-
tled in the places to be designa-
ted by the Government in the san-
jak of Zor and the south of the
province of Mosoul, ^{with the exception} ~~except the~~ of the
Northeast of the same province bor-
dering the province of Van.

Mahalli iskâniyelerine
vürut eden Ermeniler icab hal
u mevkiyle göre ya müteferrik

surette mevcut kura ve kasabatta
inşa edecekleri hanelere ve yahut they will build in the towns

On ^{ax} ~~At~~ the arrival of the Arme-
nians ^{may} ~~to~~ the places of settlement,
will be established, according to

the circumstances, in the houses
they will build in the towns

tarafı Hükûmetten tayin edilecek mahallerde yeniden tesis edilecekleri köylere yerleştirilecektir. Ermeni iskân edecek kura ve kasabatıyla yeniden tesis edilecek Ermeni köyleri hududunun Bağdad şimendiferiyle iltinak hatlarının diğer hududu iadedden la akal yirmibeş kilometre uzak bulunması şarttır. İcab eden Ermenilerin temini sevk u iskân-ı mahalli memurun iradesine aittir.

Mahalli iskâniyelerine sevk edilen Ermenilerin muhafaza-i can u mallarıyla temini iase ve istirahatları güzergâhlarda bulunan memurini idareye aittir.

Nakledilen Ermeniler kafe-i emval-ı menkule ve eşyaları birlikte götürebilir.

Bu sevkiyat bittabi hareket-ı Harbiyenin müsaade ettiği mahallerde icrası.

10 Mayıs 331.

Dahiliye Nazırı: Talât.

1. St. James Archives, Jerusalem,
No W^p 571.

and villages situated ^{at} in a distance, or in villages they will themselves found in the places to be fixed by the Government. It is essential that the towns and villages where the Armenians will be settled, as well as the villages they will create, be situated at a distance of twenty-five kilometers from Bagdad railroad and its junctions. The local administrative authorities are charged to ensure the transportation and installation of the Armenians whose deportation is necessary. The local administrative authorities (on the ways of deportation) ^{with the} ^{ion of} are charged to protect the ^{Armenian lives} ^{en route} ^{life and possessions} and ensure ^{They are also charged with} the rest and supplies of the Armenian deportees. The Armenian deportees have the right to take with them their furniture and possessions. It is understood ^{Take} that the transportation will ^{take} place in the localities where the war operations may allow.

May, 10, 1915.

Minister of Internal Affairs:
Talaat.

Talaat's Telegram
of May 10, 1915

ordering to Vali Tahsin
to deport Armenians
from the province of Erzerum
to Der Zor

Order of May 10, 1915

1

dispatched by Talaat Bey
Minister of Internal Affairs,
To Tahsin Bey, Vali of Erzerum
to deport the Armenians of the province
To Der Zor and South of Mosul.

" Decipher: Vali of Erzerum:

Considering the local circumstances, the Armenians of the towns and villages of your province will be deported and settled in places to be designated by the government of the district (Sanjak) of Zor and the south of the province of Mossul with the exception of the North of the same province bordering the vilayet of Van.

^{ON} At the arrival of the Armenians ~~to~~ⁱⁿ the areas of the settlement ~~x~~ according to the circumstances, in the houses they will build in the towns and villages situated ~~in~~^{at} a distance, or in villages, they will themselves ~~found~~^{establish/create} in the areas to be ~~fixed~~^{fixed} by the government. It is essential that the towns and villages where the Armenians will be settled, as well as the villages they will create, be situated at a distance of 25

~~x~~ they will be established

kilometers from Bagdad railroad and its junctions. The local administrative authorities are charged ^{with} to ^{ing} assure the transportation and installation of the Armenians whose deportation is necessary. The local administrations are charged with the protection of the Armenians' life and possessions en route to deportation and they are also charged with the rest and supplies of the Armenian deportees. The Armenian deportees ~~have the~~ ^{must} ~~to~~ take with them their furniture and possessions. It is understood that the transportation will take place in the localities ~~where~~ ^{which} the war operations may allow.

May 10, 1915.

Minister of Internal Affairs:

Signed/ Talaat. 1

1- St. James Archives, Jerusalem, No 5571

1624/1000 1

In reply to the coded telegram
of Talaat Bey, dated May 10, 1915,
Tahsin Bey, Vali of Erzerum, discussing
the deportation of the Armenians from
his province, dated May 11, 1915.

"Decipher, Ministry of Internal Affairs,

Very Important.

Telegram from Tahsin Bey, Vali of Erzerum,
to Talaat Bey, Minister of Internal Affairs.

Reply to the telegram of May 10, 1915.

Upon the first attack of Russian Army, the
district of Bayazit, depending on our Vilâyet,
as well as other districts of Erzerum fell under
Russian occupation and Moslem population
partly and all Armenians were not able to
escape and both Moslems and Armenians
remained where they were.

Russian forces hold Karayaz, Spiz, Khenus-
Tortum line and Armenians of the villages
in that area gradually passed under Russian
jurisdiction. Consequently, Armenians who
~~are~~ must be deported are the Armenians in
the town of Erzerum and those of Erzinjan.

These Armenians are far from the borders.

If espionage and rebellion are supposed to be the cause of deportation of Armenians, in my opinion such a fear is not basic. If, God forbid, our Army is defeated and in retreat, then we would have to think about the situation. In the beginning of the war (October 30, 1914), Hafiz Hakki Pasha insistantly expressed the same ~~w~~ desires and fear. At that time I ~~de-~~^{assured?} ~~cured~~ your Excellency stating that ^{by} the initiative of deporting Armenians to the interior, ~~we would have then created perhaps for our Army,~~ while perhaps the rebellion should be spread, ~~and~~ we would have created a situation ~~endangering~~ our forces on the front. These considerations are in force also today ^{They were} ~~as it was~~ in the Past.

Armenians in the town of Erzerum are the most numerous. The majority are busy with commerce and industry. Those among them who consider that an initiative of rebellion ^{would} ~~will~~ be bear ~~as~~ heavy ~~of~~ consequences for them, are very

Numerous.

Secondly, Erzerum is a fortified castle and has a strong army. Therefore, Armenians cannot do any harm. As in the districts, Armenians are few in number and live poorly. Moreover, they provide supplies to our army and means of transportation. This is very important to be pointed out, because we now have great difficulty to ^{ing} provide supplies and guarantee ~~forces~~ the life ~~of~~ of our forces.

Third, 90 per cent of tradesmen and dependancies, necessary for the people and army, are Armenians. Among Moslems there are only two or three grocers; there are no craftsmen; this is also important. Instead of deporting Armenians during the time of war and for the salvation of our army, I, in turn, on the contrary, am of the opinion that we have to keep them in statu quo and we must not provoke them into uprising. The situation of our army is known. The Russian army reached Tortum, and Erzerum lived anxious days

We have before our eyes the example of Van. The rebellion continues to grow, despite the fact we have sent two entire battalions to Tahir Bey, Kaymakam of Khemus and to Kiazim Bey, gendarme Commander. If the troops of Khalil Bey are not successful in their mission, the consequences will be very heavy. ^{Then} ~~when~~ ^{as} he ensured that it was not inopportune to move the 33rd division from Van. I had never thought, even one per cent, about an uprising of the Armenians and I had assumed the responsibility. You vigorously criticized me. But now, I swear, that the rebellion in Van would not and could not occur. We created, with our own hands such ^{an} inextricable situation and we have no outcome. We put our eastern army into a difficult situation. As we now have this sad experience with its sorrowful consequences, I am afraid that we will place our army, with our own hands, like an individual who, wishing to rub antimony upon his eyelids, drew out his eyes. The Commander-in-Chief of the Army Corps always insists ^{on} ~~about~~ this matter (deportation of Armenians). I gave him

as an example Van and Mush. I explained to him that this problem is not so easily solved as it is in his opinion. Of course the Commander-in-Chief would have received the same instruction because for three days he instantly ^durges me to tell what I have done.

I was successful in convincing Hafiz Hakki Pasha (November 1914) when he was urging me to deport Armenians, but now I see that I will not be able to convince him (Mahmud Kiamil Pasha).

I try with all my spirit, with all my heart to explain the dangerous situation.

All considerations are the expressions of my heartfelt feelings. We could not deport by ~~only~~ words 60,000 people from the borders of the Caucasus to Mosul - Bagdad. Who will protect them and provide ^{for} them on the highway and administer ~~their~~ ^{their} possessions and properties? If the military authority can execute such a plan, let them do ^{it}. I will not initiate it and I will not do ^{it}. I beg Your Excellency in the name of the survival of our country to postpone the project as long as the Present situation is not dangerous.

May 11, 1915.

Signed / Tahsin, Vali of Erzerum.

1-JAT, No W 520-519, and W 572.

Preface

The Imperial Edicts are not the complete history of the Armeniocide. They are a part to be completed with forthcoming documentary volumes according to the trials of the cases of deportation and massacre held by the Extraordinary Turkish Court Martial.

The Imperial Edicts are a kind of compilation of Turkish official primary source documents relative to the deportation and massacre of the Armenians and the confiscation of their property.

The extermination of the Armenian race was state policy, decided by the ~~General Headquarters~~ of the Union and Progress Party of Young Turks in power. The decision was communicated to the Ottoman Government. The orders issued by the Government were carried out by the ~~chete-gangs~~ of the ~~Teştilât-ı Mahsusa~~ of the "butchers of men", during the office of both cabinets of war of Said Halim Pasha 1913-1917 and Ahmed Talaat Pasha 1917-1918.

One of the most important documents is certainly the Law of deportation, an Imperial Edict sanctioned by the Signature of Sultan Mehmed V Reshad, Ottoman Emperor, signed by Prince Said Halim Pasha, Grand-Vizier, and Enver Pasha, Minister of War and Commander-in-Chief of the Ottoman Armed Forces.

This official primary source document is reproduced for the first time in its original form. Until now no

officially printed

key documents

legislation

are the principal official documents but

annihilation

and liquidation of Armenians

central committee

first official

signed by

to the Army and division commanders

The deportation is addressed

researcher, no scholar, nor historian had ever met with the existence of such an official key-document; it was, however, available to readers as it was first published in the official ^{journal} ~~organ~~ of the Ottoman Government No. 2189, May 19, 1915.

The Imperial Edict No. 2, the Law of Confiscation of Armenian ^{possessions and} property issued September 13, 1915 was published in Takvim-i Vakayi, official ^{journal} ~~organ~~ No. 2303, on September 14, 1915.

The Imperial Edict No. 3, the Law of Liquidation of Armenian ^{possessions and} property in Turkey, issued October 26, 1915 and published in Takvim-i Vakayi No. 2343, October 28, 1915.

The Imperial Edict No. 4 or the Law cancelling the Armenian Ecclesiastical institutions in Turkey issued July 19, 1916, and published in the official organ Takvim-i Vakayi No. 2611, July 28, 1916.

The Imperial Edict No. 5 or the Law of Restitution of Armenian property in Turkey, issued on January 8, 1920 sanctioned by the Sultan and signed by all his ^{ministers} ~~ministers~~, was published in the official organ Takvim-i Vakayi No. 3747 on January 12, 1920.

History is not statement, nor declaration, neither consideration. History ^{is} ~~is~~ certainly first of all genuine documentary evidence, if such documentation really exists and is available for study.

Neither historians, nor critics, may reach ultimate conclusion prior to the publication of documentary evi-

December 1918, aariat Commission composed of Turkish, British, Armenian and Greek members prepared the Law of Restitution of property to original owners.

dence thoroughly establishing the real and factual events in their circumstantial details and chronological data to reach historical truth as conclusions have to be based on objectivism excluding subjectivism. No one Turk or pro-Turk may be believed unless they publish genuine documents with their comments.

The present volume has a privilege to establish the historical facts and chronological data in accordance with official and authentic documents.

The sources used in writing ^{2 volume} ~~this~~ ^{key} book are generally limited to Turkish official documents, excluding for the time being, other documentary sources allied or enemy or neutral, diaries, memoirs, even diplomatic pro and cons documents, witnesses and testimonies, except those official testimonies collected by the Turkish courts martial acting in the period of 1913-1918, by the Turkish Inquiry Commission of 1918-1921 and the ~~Turkish Extraordinary Court Martial~~ which tried 1919-1921, cases of deportation and massacre ~~of the Armenians~~. Exception will be made of official depositions and testimonies of prominent Turkish officials and officers such as Vehib Pasha, Commander-In-Chief of the Third Ottoman Army on the front of Caucasus, Major General Salim Bey, Commandant de Place of Yozgat and President of the Recruiting Office of Yozgat, in the province of Ankara, or Jelal Bey, Governor General of Aleppo and then of Konia, and Jemal Bey, Governor of Yozgat and so on.

Explanations of Turkish terms which have no exact correspondent words in English, will clear up certain dictions, expressions and ambiguities.

We will try to be impartial for both sides, objectively. But impartiality does not mean sparingness and curtesy. Civilization, brutality and vandalism are at least incompatible, ^{if} ~~it~~ not contradictory.

The Turkish ideology pretending that a dominating nation, majority or not, may ~~a~~ have a privilege not only to remain always the same, but also to promulgate self-implemented laws to destroy dominated groups.

A ruling government, however sovereign may it be, even autocrat or theocrat, cannot and must not make decisions to exterminate its own subjects. Such decision should remain beyond and over the sovereignty of all nations.

There can never be any reason whatsoever to massacre a people: there cannot either be mitigating circumstances for justification of the state policy of extermination ~~of a race~~.

We cannot include any of the reasons given by military and civil authorities to justify the deportation and massacre of the Armenians, for no government regardless how powerful the ruling body may be, may have a right to order mass deportation and massacre of any its ethnic groups.

Governments are created to insure the welfare of all peoples without discrimination of race and religion. They have to protect the innocent anywhere and at any time, in peace or war.

Laws are created and promulgated to insure freedom and safety of all citizens. They are a guideline of behaviour so that those guilty of infringing upon the rights of others could be punished to prevent violence against the innocents.

The laws developed from the simple mores of previous eras to the more sophisticated constitutional laws of present day.

The Governing body of Turkey, was also supposed, aside its constitutional laws, to be guided by the provisions of both civil and military codes in the Armenian question.

The present ~~partial~~ publication of the documentary history of the Armenocide in old Osmanli in Arabic characters, modern Turkish in Latin characters, and English translation will bring historical, psychological, sociological and critical evidence serving the truth of the Armenocide.

For more explicit precision, the transliteration of the old Osmanli text from Arabic characters to the modern Turkish in Latin characters does not mean that the old Osmanli is translated into modern Turkish, as many terms in old Osmanli are no more used in modern Turkish. The old Osmanli text is given merely in Latin characters as they are read in old Osmanli text.

and objective historians

The scholar community and ~~the~~ researchers will find in this ^{volume} ~~book~~ Turkish official documents concerning ^{annihilation} the deportation and massacre of the Armenians ~~the~~ race.

These documents are published mostly for the first time (both in modern Turkish transliteration and English translation.)

The question of authenticity is above all doubt and suspicion.

These documents were collected by Turkish high authorities and officially delivered to the Extraordinary Court Martial to try ^{ing} those responsible of the Armeniocide.

Turkish authorities in Constantinople, as well as The Inquiry Commission, and the Court Martial, sent formal orders to all authorities of the provinces to send ^d the official documents, originals, certified copies, and even simple copies.

Most of these official documents have been read more than once during the trial held by the Extraordinary Court Martial ⁱⁿ at the presence of the signatories as well as addressees and witnesses, reproduced in the indictments of prosecutors, and in the sentences delivered by the Turkish Extraordinary Court Martial.

As further extensive explanations concerning the authenticity of these official documents, scholars and researchers may refer to the study published in "Houshamadian Medz Yegherni", Memorial Book of the Major Tragedy, Atlas

Press, Beirut, Lebanon, 1965, pp. 221-258.

Moreover, some of these official documents are officially discussed, some of them published in Arabic Turkish Osmanli in the Turkish Official Journal "Takvim-i Vakayi Divan-ı Harb-i Örfi Muhakematı Zabıt Ceridesi", as well as in other Turkish official, semi-official and non-official newspapers. Translations of these official documents are available in Armenian, Bulgarian, English, French, Greek, etc. etc. newspapers published mostly in Constantinople 1918-1922.

The Turkish Extraordinary Court Martial used a method to establish the authenticity of these official documents in question before using them as documentary evidence during the trial of those responsible of the Armenocide.

Turkish civil and military as well as judiciary authorities urged respective departments to collect and identify the documents concerning the Armenocide.

These documents collected and delivered to the Turkish Extraordinary Court Martial were in general originals, certified copies, and simple or non-certified copies.

The Extraordinary Court Martial ^{did} ~~had~~ ^{have} not ¹ to use the conventional codes of the War Office, of the Ministry of Interior, and the Offices of the "Teşkilât-ı Mahsusa", to decode or read the digits and numbers, because the documents were already deciphered by the respective Turkish Authorities prior to their delivery to the Turkish

Extraordinary Court Martial.

To illustrate with an example, we wish to reproduce herewith the original of the decoded telegram, in a photostatic copy, in Arabic Turkish Osmanli, dated April 2, 1919, signed by Jemal Bey Minister of the Interior, officially delivering originals and certified copies of telegrams to the Attorney-General of the Turkish Extraordinary Court Martial, Constantinople.

In addition, we wish to reproduce entirely the transliteration of the telegram from Turkish Osmanli to Modern Turkish in Latin Characters, and the English translation in two separate columns.

Scholars and researchers should notice the following in the telegram of Jemal Bey, Minister of Internal Affairs:

The internal Minister officially delivered to the Extraordinary Court Martial the originals of ~~telegrams~~ forty-two decoded telegrams he received from the Governor General Of Ankara, as well as certified copies of other decoded telegrams he received from other provincial authorities.

Furthermore, the Minister of Internal Affairs promised to transmit and deliver to the Extraordinary Court Martial other documents he shall receive simultaneously and proportionally from other provincial authorities.

The telegrams the Minister of Internal Affairs delivered to the Extraordinary Court Martial are official

documents concerning the deportation and massacre of the Armenians, covering the period of 1914-1918.

These telegrams are dispatched by the Turkish Civil and Military Authorities, as well as by the leaders of the "Teşkilât-ı Mahsusa", composed of "butchers of men", assigned the task to destroy and annihilate the Armenian convoys once out of the towns and villages in previously fixed massacre sites.

Researchers and scholars have to keep in mind that not all provincial authorities dispatched documents concerning the Armenocide to the Authorities in Constantinople, for example, Mahmoud Kiamil Pasha, Commander-in-Chief of the Third Ottoman Army Corps dispatched many orders to massacre the Armenians in the provinces of Erzeroum, Trebizond, Sivas, Bitlis, Diarbekir and Harpout under his military jurisdiction. The High Authorities in Constantinople urged ⁱⁿ 1918-1919 the authorities of the above-mentioned provinces to send the documents they had received from respective Departments, especially ^{during} 1914-1915. Some of the provincial authorities sent effectively the documents to Constantinople, some others did not.

Suleyman Faik Pasha, Commandant de Place of Harpout, confessed before the Turkish Extraordinary Court Martial that he had received many orders from Mahmoud Kiamil Pasha, ^{ordering the extermination of the Armenian people,} but the authorities of Harpout when asked to, denied to ^{refused to} send these documents to Constantinople, while other provincial authorities had already sent the official circulars

dispatched by Mahmoud Kiamil Pasha to all six provinces. 1

-
1. "La Renaissance", No. 144, April 20, 1919.

1 DEPORTATION

across
At the first session held in Istanbul by the Extraordinary Court Martial on February 5, 1919, the Imperial Prosecutor Sami Bey tried to define officially what was deportation.

« In the juridical acceptance, deportation means to remove a person from his home where he was born, and where he lived for a long time, a person who had considered his birthplace as a source of happiness.

« This is the greatest moral punishment that may be applied only to individuals held to be suspect *and* dangerous, and a punishment to be applied in an administrative way by penal measures, a consequence of prejudices caused to the property of a Country.

« While implementing such a decision, special care must be taken for the weak, for women and children, otherwise, if not, such an arrangement will cease to be a preventive measure and will become a tyranny and a torture, because only the

guilty ones must be punished by way of justice and trial. >> 1

The definition of the deportation given by the Imperial District Attorney General of the Turkish Court Martial, as being "a juridical acceptance, >> is simply a fiction. Researches in penal codes failed to reveal any such provision for deportation as a "moral punishment. >> Mass deportation by the millions, without distinction of ^{the} weak, ~~women and~~ ^{or} children" has nothing to do with exile or banishment applied only and mostly to ranking officials. 2

Only the General Headquarters of Young Turks and their Government may apply such a "moral punishment," in an administrative way to old people,

1- Jagadamar, No. 73 (1894), Thursday, February 6, 1919.

Nor Ghiank, February 6, 1919.

2. OTTOMAN Penal Code, Articles 28, 32, 35, 40.

3

Women and children with a specific goal
of extermination.

Prosecutor Sami Bey could certainly
use official documents at his disposal:

"Two telegrams provide evidence that
massacres were perpetrated not only ^{with the} by
knowledge but also by order of Talaat Bey,
Jemal Bey and Enver Bey." XX (See next page)

Whereas expressions are not con-
trolled in accordance with the provisions
of documentary evidence, even The Impe-
rial Attorney General of the Turkish
Court Martial could easily contrive
such fictions to cover up the exter-
mination of the Armenian race and
the responsibility of the Union and Progress
Party and both Turkish War Cabinets,
(1914-1918).

3. Takvim-i Vakayi, No 3540, p. 6, Col. 2.
published May 1919.

Talaat was Minister of Internal Affairs;
Jemal, Minister of Navy, and Commander of
The Fourth Army; Enver, Minister of War,
and Commander of the Ottoman Armed Forces.

x x " The telegram dated July 11, 1915, signed by Talaat Bey, addressed to the governor general of Diarbekir, and to the Mutesarifs of Ourfa and Der Zor (No. 11) gave the order to bury the corpses left along the roads, not to throw them into ditches, lakes and rivers, and to burn all the effects left along the way.

" The same evidence is established in a telegram signed by Jemal Bey, the Fourth Army Commander, dated July 1, 1915, labeled: "Urgent and Personal", and addressed to the Vali of Diarbekir, whom Jemal Bey advised to circulate false rumors to the effect that the corpses thrown in the Euphrates river were possibly the bodies of those Armenians killed during their revolt. He gave orders to bury them immediately without leaving any corpses in the open. (No 11, document 3).

The removing^{al} from home^{greatly} helped ~~so much~~ the extermination of the caravans, as massacre sites were previously established in isolated localities where the chete (gangs) of the Taş-Kilât-ı Mahsusa were already waiting. The deportees to do the job they were invested

Civil officials and military officers had given oral and written orders. "They communicated by coded telegrams secret instructions^{tions}, and through these telegrams they perpetrated massacres, and through the members of the Special Organization they had the Armenians massacred and exterminated..."

Another verdict delivered by the Turkish Extraordinary Court^{at} Martial corroborates the fact of secret orders: "All these [massacres and pillaging] are already corroborated by documents and decisive

4- Takvim-i Vakayi, No 3771, page 48, col. 1, lines 11-13; January 13, 1920, published & February 7, 1920.

reports which can be found in the files and records of the Court Martial. >> 5

Unionist Leaders tried to deny the activity of the Special organization, especially Atif Bey, member of the Central Committee, at the same time civil member of the Teşkilât-ı Mahsusa in Istanbul.

The president of the Court Martial asked Atif Bey: "Well, the General Headquarters ~~sent~~ ^{sent} Responsible Secretaries and Delegates to Ankara, Kastamouni, Yozgat, Erzinjan, Trebizond, Sivas and elsewhere; they communicated secret orders to Valis and Mutesarifs. Were you in the General Headquarters when decisions were made to communicate secret orders?" >> 6

The President of the Court Martial

-
5. Tercüman-ı Hakikat, No 14136, August 5, 1920, the verdict is delivered July 20, 1920.
 6. Takvim-i Vaki, No 3549, page 57, ^{per} May 8, 1919.

10

asked the following question to Riza Bey, member of the Central Committee of the Union and Progress Party and leader of Teşkilât-ı Mahsusa (gangs) in Trebizond: "Mazhar Bey, Vali of Ankara, was ^{dismissed} ~~next~~ day was ^{dismissed} ~~(relieved)~~ from his office because he refused to carry out the secret orders communicated to him by Atif Bey, who replaced him," 7, and carried out the secret orders he brought to him ~~&~~ concerning the extermination of the Armenian race.

The Turkish Court Martial considered Radi Bey's testimony as a primary source providing sufficient evidence.⁸

"Atif Bey, Supervisor of the provincial administration, under the pretense of examining the activities of the local administration, has gone to Ankara."

7- Takvim-i Vakayi, No 3557, Session: May 14, 1919, page 106, Col. 2, published May 25, 1919.

8- Takvim-i Vakayi, No 3540, page 8, Col. 1.

" He did nothing special in this matter. He was the guest of The Club of the Union and Progress Party [in Ankara.]

" One day Mazhar Bey said directly to Atif Bey: " I cannot do what you are ~~propos~~ urging me to do. I ~~leave~~^{resign} my chair; you ~~be seated~~^{sit} in my place, and do it personally yourself. " 9

" When Radi Bey asked Mazhar Bey at Constantinople why he was dismissed, he answered: " I pretended not to understand the orders I received from the Minister of the Internal Affairs at Constantinople; you know that in other provinces the deportations were ended, while I had not yet started; " ~~he~~^{he} said. Atif Bey came to Ankara. He communicated to me the orders of the Minister of Internal Affairs to massacre and exterminate the Armenians during the deportations. I said to him: " Atif Bey, No, I am a vali, I am not a bandit. I cannot do it. I resign. You come in my place to do it yourself. " 10

9. Radi Bey's Testimony, JAT. No W 251.

10. " " " " JAT. No W 252.

Jemal Bey, Mutesarif of Yozgat, made a confidential statement to Edib Bey of Yozgat, former Mutesarif of Selevkie, on 1915.

Edib Bey made an official report on February 10, 1919:

"As far as I can remember, we became aware that orders had been sent to exile and deport Armenians.

"To put such orders into effect, the Responsible Secretary of the Union and Progress Party in Ankara, Nejati Bey, came to Yozgat.

"Jemal Bey, former Mutesarif of Yozgat, visited our home one day and revealed that Nejati Bey communicated to him ~~the~~ the order to exterminate the Armenians."

Jemal Bey answered ~~to~~ Nejati Bey, and made him understood that the order of the Government is to deport Armenians to previously established places. He made him know that a Responsible

Secretary has no official position to communicate the secret orders of The Government.

Thereupon, Nejatî Bey replied to the governor: "Although the order given by The Government is apparently to exile Armenians, the very purpose of The General Headquarters of The Union and Progress Party, as well as of the Ministry of the Interior is to exterminate the Armenians and thus to render a service to our fatherland." 12

Mutesarif Temal Bey refused to carry out the order communicated by the Responsible Secretary of the Party.

Temal Bey was dismissed.

Kemal Bey replaced him and carried out the order of the Government

33,133 Armenians of Yozgat district were deported and exterminated. 13

12. JAT. No W534..

13. JAT. No W573.

The Turkish ideology is very clear: deportation or extermination, as ordered by Party leaders and authorities, should be carried out, as deportation and extermination are considered ~~a~~ means and ~~a~~ measures ~~to~~ ^{my} serve the nation and the country.

Hafiz Abdullah Arni, 44 years old innkeeper, brother of Abdul Ghani Bey, Responsible Secretary of the Union and Progress Party at Adrianople, was released from prison and appointed Secretary of the gendarmerie in Erzinjan prior to the mobilization, July 1914:

He was assigned the task of searching for weapons in Armenian homes and he personally committed some of ~~the~~ most shameful atrocities, even torturing and killing innocent children deported in caravans under the control of chete (gang) leaders.

The Turkish Court Martial sentenced him in 1920 to ~~the~~ death penalty.

He was hanged in Bayazid Square, Constantinople on July 22, 1920.

Moments before dying, he shouted:

"Long live the Union and Progress Party. By massacring Armenians, I have rendered a great service to my country." 14

1

Crimes committed
~~were prepared and organized~~
by the Central Committee

"One of the crimes committed by the Central Committee of the Union and Progress Party is the organization of the incidents ^{which} occurred almost in every ^{cross roads} turning corners of the Ottoman territory under the pretense of applying the law of deportation.

"During these occurrences the Executive Delegates and Secretaries presided over the organization of these incidents which took place in the same way. Their principal center ^{was} being all over the eastern provinces. The Chief leaders of the Union and Progress Party had organized the gangs (çete) of the Teşkilât-ı Mahsusa in the above mentioned localities. They admitted and confessed that they themselves held the presidency and the command of the Teşkilât-ı Mahsusa gangs (çete).

"Documentary evidence proved that

the above mentioned gangs (Gete) were ~~conducted~~^{led} by Behaeddin Shakir Bey and that the latter had used as leaders the Executive Delegates and Secretaries of the Union and Progress Party.

It is evident that all the crimes committed were prepared and organized by the Central Committee.

1- Takvim-i Vakayi ... official journal, No 3771, May 25, 1920, page 130. Verdict delivered by the Court Martial against the Executive Delegates and Secretaries of the Union and Progress Party.

Pre meditation

①

Turkish Court Martial conclusion

" During the trials held ^{to the present} up to day the Court Martial concluded that the massacres carried out in many localities were premeditated and decided by the Central Committee of the Union and Progress Party.

" Under the presidency of Dr. Behaeddin Shakir Bey, a bloodthirsty member of the same Central Committee organized and brought into existence in the name of Teşkilât-ı Mahsuse, composed of gangs (çete), lower populace and mob elements.

" Special officials communicated the decisions of the Central Committee to the VALIS of the provinces and to district governors; the majority of government officials approved and carried out the decisions (they received), while those governors who opposed to carry^{ing} out the orders, were dismissed from their

(2)

office, as Jemal Bey, Mutessarif of Yozgat; Reshid Pasha, Governor General of Kastamouni, and others. Such patriotic officials, ~~and~~ were replaced by those who were ready to carry out the decisions and reach the supreme goal, such as Kemal Bey, Mutessarif of Yozgat, who was hanged (at Bayazid Square), and Atif Bey, Vali of Ankara, who were enemies of the humanity, and who carried out massacres and had them perpetrated.²¹

1. Terciman-ı Hakikat, No. 14136, p. 3, col. 3, published August 5, 1920; the verdict was delivered July 20, 1920; Nusret Bey Kaymakam of Bayburt, promoted Mutessarif of Urfa, was hanged at Bayazid Square, Istanbul.

1

Report
on the meeting of the Senate
October and November 1915 1

"Ahmed Riza Bey: Thousands and hundreds of thousands of children, women and old people are wandering on the mountains and roads of Anatolia, in a state of misery and without any protection.

I expect from the justice of the government that these peoples be back home before winter in their fatherland or have the choice to be established wherever they are.

If the Sublime Porte agrees with my desire, I ask the President [of the Senate] to give instructions on this matter to the government. (Cheers of approbation).

Also I produce for you a new project of law and ask to have it inserted in the question of the day for the next meeting. The suppression of certain provisions of Laws.

1- Session of October 4, 1915, See: minutes p. 103.

2. Session of October 11, 1915. See minutes p. 305.

A lecture is given ^{on} ~~of~~ the proposal of Ahmed Riza Bey regarding the project (of the New Law.)

I propose to modify ~~the~~ Article 11 of the provisional law of September 26, 1915 relating to the property of deported persons and credits and debts, as follows:

The law shall go into force after the end of ~~the~~ World-War I and one month after the publication of the peace treaty.

Motives

1- The state of war does not give to any one the right to snatch the movable possessions or the immovable property of others.

2- In the areas, where lands are sold, because of the fact of war, the persons are absent who would have the greatest interest to purchase, ^{that is} ~~it means~~ to say, villagers and indigenes ^{to}.

Moreover, people in ^{easy} ~~easy~~ circumstances who would pay suitable prices to buy these lands, cannot find money.

At the present time, the purchase of the lands will cause a great prejudice to the owners; moreover, the inhabitants of the areas in question will not have any advantage.

3. The provisional law was decreed two days before opening of the Assembly, and is in contradiction in many points with the Constitutional Charter.

Also, it is incompatible with right and justice. This draft of law should, consequently, be brought up in the House and go into force only after ^{the} war.

For these reasons, I urge, in accordance with the Article 33 of the Constitution, the aforesaid amendment.

October 4, 1915.

Signed/ Ahmed Riza.

The Vice President: the law mentioned in the proposal concerning the purchase of the possessions of a category of persons who are absent.

The law ~~has been~~ ^{was} promulgated on September-

ber 26, and has gone into force the same day.

Ahmed Riza Bey: proposes that the law go into force one month after the peace treaty and ~~and~~ an Article be amended. But the draft of this provisional law itself has not yet reached us, and, we ~~don't~~^{do not} know when it may reach us. Or ^{do} you want that we transmit your proposal to the Committee - for - provisional laws, while awaiting ^{for} that the provisional law to reach us.

Musa Kiazim Efendi: It is natural that the proposal should be submitted to the Committee.

The Vice-President: Well, after we have received the provisional law, we should discuss at the same time, the request and the law.

Ahmed Riza Bey: Is the law in force or not?

The Vice-President: I ~~don't~~^{do not} know the provisional law. You yourself are saying that it goes into force the day it is promulgated.

Ahmed Riza Bey: I read it in the Official Journal. It ~~has been~~^{was} promulgated on September 26, 1915 and it is in force starting

the day of its promulgation.

The Vice-President: In this case, you are requesting the amendment of ~~the~~ Article 11.

Ahmed Riza Bey: We don't ^{not} know when the law will reach us, but what will happen if the law never reaches us or if it reaches us when no one of the interested people would have any possessions?

Husni Pasha: it seems to me useless to send the motion to the Committee. We ourselves do not yet have the law and, we cannot, therefore, take into consideration the project of its amendment.

Mehmet Pasha: Let the Committee first of all give its opinion about this matter.

The Vice-President: (calls for vote), the majority is for the transfer of the request to the Committee.

3. Session of November the first, 1915, transaction: page 331.

Ahmed Riza Bey: At one time I had asked ~~that~~ ^{the} Government's attention to some points con-

cerning the people worthy of pity who are roaming here and there on the mountains of Anatolia. The High Assembly seconded my request. Has the government directed its attention on the necessity of taking measures to care for the destiny of those people and the results obtained?

The President: On the decision of the High Assembly, I had a talk on this subject with the government. As the government has made efforts to set aside the obstacles which could affect in any way the welfare of the population, the government is making efforts to find means by which the welfare of these people (deported) will be insured. In this effect, the government has even sent to the areas the Director charged with the affairs of the immigrants (Christians are deported and Moslem immigrants have replaced them in their (Christians) homes), in order to make arrangements for these cases. 2

2 - See the activity of this officer in No 165, page 236.

Credits have been prepared and other officers also will be sent forth. The government has its heart set on the case for the welfare of these people.

Ahmed Riza Bey: As you well know, we are in winter time. If something ~~should~~ ^{is to} be done, it should be done as soon as possible. The government certainly made you aware of-
ficially in this direction. Is that not so?

The President: Certainly.

Deutschland Und Armenia, 1914-1918, Sammlung Diplomatischer Aktenstücke, Dr. Johannes Lepsius, 1919, Der Tempelverlag in Potsdam, p. 214-216; Loi Provisoire, p. 216-218, discussion about the law.

Ahmed Riza is talking about hundred of thousands of Armenian deportees, while the President is talking about the Moslem refugees who were located in the houses evacuated by the Armenians.

Expropriation of property excluded

A provisional law concerning the mode of expropriation of fixed property was effective the day of the promulgation, February 3, 1914. 1

To this provisional law, "Regulation of Expropriation for public purposes" was added to the Ottoman Constitution promulgated April 30, 1914 as the last amendment of the provisions of the law. 2

The provisional law provided the right for the municipalities to expropriate immovable property for the public welfare. The owner of the property "shall have the right to enter an opposition [right to appeal] within nine days from date of service or posting of notice." 3

Expropriation of property deemed necessary for

1. ^{M.A.H.} Translation of the Ottoman Constitutional Laws, The vilâyet Administration Law, the Municipal Law and Various other Laws, Baghdad, March 12, 1921, published by the Ministry of justice. p. 61.

2. Section 1, 2, p. 85.

3. Section 32, p. 83.

~~Expropriation~~ for public purposes, can only be taken after payment is made to the owner at a price fixed by the Court. 4

The regulations explicitly stated that "the owner cannot be deprived of his right before final payment of the whole sum is made". 5

For expropriation the consent of the owner is required ^{and} must be respected: "After payment has been made of the total amount due for the expropriation of property to the owners who have consented to accept it, the transfer of the title-deeds of the property... will be effected with". 6

By reason of the Law of Deportation, Armenians were forcibly expelled and driven away from their homes. Armenian owners of immovable property at the time of the deportation, were massacred, died of starvation or survived. In these three instances they did not receive any notice of the expropriation of their property. This constitutional right was no longer

4. Op. cit. p. 63, Section 9.

5. Op. cit. p. 65, Section 3.

6. Op. cit. p. 66, Section 14.

considered. The value of the property was never paid to the rightful owner. Also, in cases of survival, Armenian owners of immovable property never consented to the expropriation of their property, and, more importantly were never paid the value of their property.

Wherefore, all transactions of expropriation of immovable property belonging to Armenians must be considered null and void.

After the Lauzanne Treaty, Armenians made protests, periodically, even yearly and claimed their property. They are claiming it now.

Only violence prevailed, for expropriation.

1910

IN the congress held by ^{the} Union and
^{Party} Congress, at Salonika, 1910, Dr. Nazim Bey,
member of the Central Committee and theori-
cian of Pan-turanism and Panislamism,
made a speech concerning the extermination
of the Armenian population living all
over the Ottoman Empire; he said:

1. "I believe you will agree that the
important prerequisite to the realization
of this political plan (Pan-Turanistic
expansion) should be the solution of

2

the Armenian problem.

2. ... Let us handle their [Armenian] problem as an internal affair » ...

3. A: "I consider the Armenian problem to be the most pressing and vitally urgent. We must find an effective solution, not a partial one to merely buy us time, but a radical and through solution»...

4. B. We cannot revive the old Hamidian regime because the Armenian problem is not one to be solved through

3

minor, sporadic arrests and persecutions, as it was proven in the past, the Armenians always, somehow, manage to survive minor massacres and stubbornly persevere to ¹⁴ their activities ».

According to Dr. Nazim, the reforms are not acceptable.

5. "The only solution to the Turkish gains, was to wipe out the Armenian race from the face of our Empire.

6. "This proposal seemed cruel, inhumane, and difficult to execute.

4

... " We either agree to a complete and radical massacre securing our future as well as our present...

" There is no alternative for us. Today, after discussing the matter at great length, we must make our choice. We have to cast our ballot with ^a clear and decisive yes or No vote.

" Putting all hesitations aside, we must draw up an appropriate plan with all its details, if this task is to be a complete success.

5

"We all appreciate the complexity and difficulty of the task. It concerns destroying not just the Armenians of Anatolia, but all ~~crafty~~ Armenians living in the Empire - this cunning, crafty, and resilient race called Armenian whose ambition cannot be contained ~~within~~ ⁱⁿ the boundaries of a small area, but has need for a vast empire for activities. From Stamboul to Bagdad, from Bayazit to Adana, Iskenderoun. We must eradicate this race which has, like a leech, latched on to us, and 15

6

destroying us ...

7. "A. We will have, once and for all, solved the Armenian^s problem by eliminating the Armenians.

"B. Our Government will be ^{rid?} need of international as well as internal political harassment and crisis due to the problem,

"C. Freedom from the Armenian element will open vast social and economic ~~uphands~~ opportunities for our people hitherto in the hands of the Armenians.

"D. Our Government and people,

7

will confiscate their ^{wealth?} (health.)

"D.E. ~~The entire~~ ^{cell of} Anatolia will become
a country of one nation: - Turks.

"F. ● Most important, it will remove
the biggest obstacle from the road to our
most sacred ideal - Pan-Turanism to
which we adhere for our existence".

1- The Armenian Weekly, Vol. XLVII - 61-

2458, Saturday, May 2, 1981, p. 3 and 12.

✓
Department
By order of the Ministry
of Internal Affairs

convicts and criminals were released
from Turkish prisons,
recruited in the ranks of Teşkilât-ı Mahsusa
to form gangs (şetes) for the extermination
of the Armenian deportees.

• The notice of the Executive Secretary at
Bursa dated ~~the~~ December 19, 1914, addressed
to the Central Committee of the Union and Progress
at Constantinople reports that criminals and band-
its have been registered in the ranks of gangs
(şete) of Teşkilât-ı Mahsusa.

"It is true that at the beginning of the mobi-
lization (July 21, 1914) rumors were disseminated
that these gangs would participate in the war,
and efforts have been made to so convince
the simple minded people. However, proofs and
documents demonstrate that the gangs (şete)
in question were organized to massacre and
annihilate the convoys of [Armenian] deportees."

1- Takvim-i Vakayi, No 3540, p. 6, col. 2,
lines 13-20.

Questions
asked to the former Police Commissioner
in the province of Sivas
by the President of the Inquiry Commission
in Constantinople, December 1918.

• How many days did Talaat Bey, former
Minister of Internal Affairs, and in stay in
Sivas, and in whose house.

• Was Muammer Bey present when Talaat
Bey made speeches in the mosques and
Club (in Sivas), saying, "O Moslems, we have
already annihilated the Armenians, we
gave you all their possessions, their shops,
their stores, their homes. Hereafter, ~~the~~ trade
and commerce comes into your hands and will
remain exclusively yours." /

1- JAT, No 5317,

Official Testimony

Eye-witness Mehmed Ali Bey, Governor of Scutari, officially answered the questions asked by the President of the Court Martial. "The official order," he said, "was issued concerning the deportation of the Armenians; however, later on, secret orders were dispatched." 5

Governor Kemal Bey's official deposition may be considered a revelation, answering the question of the President of ^{the} Inquiry Commission, affirms and corroborates the existence of top secret documents relative to the deportation of the Armenians.

• Question. - When and where were the Armenians of your district deported?

• Answer. - They were deported to Der Zor, July and August 1915 according to the order I had received.

• Question. - From whom and in what way

5 - Tamanyan, March 29, 1919, 15th session.

Did you receive the orders? Are such orders preserved?

• Answer. — The order to deport the Armenians to Der Zor, is in the governorate of Yozgat. I did not keep the order.

• The orders relative to the deportations are so numerous that it is impossible to remember them.

• Question. — Did the Governor of Yozgat ever communicate to you orders of deportation on his own initiative or did he receive orders from the Governor General of Ankara? Who were at that time the Mutessarif of Yozgat and the Vali of Ankara?

• Answer. — The order was in conformity with the order of Ankara. At that period the Mutessarif of Yozgat was Gemal Bey and the Vali of Ankara was Atif Bey...

• I think the documents relative to the depor-

9

tation are partly preserved in Yozgat.

„As to the documents which can not be found therein were only those documents which had to be burned by order of the sender after having them read. 6

„Question. — Who gave ^{the} order to burn the documents after having them read, of which (documents) you revealed the existence? 6

„Answer. — Such orders were dispatched by the Department of the Interior to the Governorate of the Province.

„Question. — Were these orders dispatched open or coded?

„Answer. — The orders relative to the deportation dispatched by the (central) Government were all coded...

6. Deposition of Governor Kemal Bey on 15 and 16, December 1918; JAT. No L 489-494, Krieger, pp. 404-421, Emphasis added.

A secret letter of Governor Kemal

On March 24, 1919, at the 13th session of the Court, Prosecutor Sami Bey read a letter ⁱⁿ at the presence of Governor Kemal deeply involved in the Armenian massacres.

Kemal Bey in his capacity of Yozgat Governor wrote a letter. Here is the envelope, as you see it; the envelope bears three red seals and contains the following mention: This letter must be delivered as soon as you arrive to the village of Battal, to Bakirjizade Mahmound, Abdullah and Mehmed Effendis.

"The envelope must be opened after having registered the date, hour and the unsealing of the letter. The sealed envelope contained two letters, one addressed to Shukri Chavush (caporal) gendarme commander.

The second letter was signed by Vehbi Bey, Chief Accountant, who ~~gave~~ ^{ed} order that the de-

ported Armenians, be stripped of all their possessions. These effects should then be transported to the town of Yozgat. >>

Then the prosecutor of the Court Martial concluded: "The effects and possessions of these Armenians and girls were already left in the town, ^{where} ~~from where~~ they were deported, and consequently when it is said that their effects should be transported to Yozgat, it is simply meant these deportees and girls, ^{had} ~~were~~ to be killed, their effects collected and brought to the town. No other comment may be made. >> 7

7. La Renaissance, No 97, March 25, 1919.

Jamanag, March 25, 1919.

Jagadamar, March 25, 1919.

Nor Ghiant, March 25, 1919.

Secret orders to be returned back

Mazhar Bey, President of the Inquiry Commission, asked more questions to Governor Kemal, who, in his answers revealed that the Executive Secretaries and Delegates of the Union and Progress Party communicated secret orders and instructions to the governors of the provinces.

.. Question. - ^{Di} Did Nejatî Bey, Executive Secretary of the Union and Progress Party at Ankara, come to Boghazlian before and during the deportation of the Armenians?

.. Answer. - I know that Nejatî Bey, Executive Secretary of the Union and Progress Party at Ankara, came before the deportation of the Armenians to Yozgat and communicated oral secret instructions and held a meeting with the members of the Union and Progress

in Yozgat as well as with the officials of the Union, with the Special Organization and had consultations with them, but he did not come to Boghazlian.

"During the deportation of the Armenians from Boghazlian, Jemil Bey, Executive Secretary of the Union and Progress Party at Kayseri, came to Boghazlian." 8

Colonel Jevad Bey succeeded Khalil Pasha, uncle of Enver Pasha. The direction of the Special Organization in Constantinople was composed of two military and two civil members. Colonel Jevad Bey tried to deny the existence of top secret orders concern-

8. Governor Kemal's interrogation Took place on December 15 and 16, 1918. See Krieger: appendix, pages 404-421.

14

ning the activity of the gangs of the Special organization. The The president of the Court Martial ordered the Recording Secretary to read the confidential telegrams, especially a top secret telegram, in which Colonel Jevad Bey issued order to keep the original after having read it;

"President. — There is a post-scriptum at the end of the telegram; the originals of such important telegrams have to be released and preserved [in the files of the Special organization] You [Jevad Bey] said.

"Jevad Bey. — How? Your Honour.

"President. — Read it. The recording Secretary reads; "Special Organization; the originals of telegrams have to be preserved according to the regulations.

"8 Current [December 8, 1914].

Signed / Jevad ... ?

"President. — Is not the handwritting yours as you have endorsed ?

"Jevad Bey. — The handwriting is mine, the writting of the telegram is not mine.

"President. — The writing you endorsed ?

"Jevad Bey. — I think so, it is mine.

"President. — Don't you ^{not} recognize your own hand-writing ?

"Jevad Bey. — I think so, Your Honour.

"President. — Show him once more.

"Jevad Bey. — This is my handwriting. The writing etc... of the telegram is not mine, Your Honour.

"President. — To take out such ~~an~~ important documents shows that there was no order in

9. Takvim-i Vakayi, No 3554, 5th session
May 14, 1919, published May 21, 1919.

the files and dossiers.

«This draws the special attention of the Court Martial. Would you explain.?» 10

10. Takvim-i Vakayi, No 3554; 5th session; published May 14, 1919, p. 68, col. 1 and 2.

Statement
of Admiral Azmi Pasha
Minister of Marine

Jemal Azmi, Vali of Trebizond who actually took refuge in Berlin, is a monster. He used to feel a monstrous joy in killing Armenians. He hated me because I sent reports to Istanbul, insisting on the removal of this savage man, and asking that Armenians and Greeks, who constitute an element of civilization in Anatolia, were not to be tortured, since they had not taken a hostile position against the Government.

It is untrue that the non-Mohamedans of Trebizond wished to shoot the Ottoman Army in the back; they never fired on our soldiers. I

1- Jamanag, May 6, 1919.

On December 12, 1918, ^{the} Turkish daily Sabah published the coded telegram dispatched by Talaat Bey, Minister of Internal Affairs, to the Union and Progress Sub-Committee of Malatia; the ~~document~~ document was found in Nour-el-Osmanieh during the investigation held by the ^{Turkish} Police:

" Destroy all the Armenians who are driven and ^agathered in your district.

" I assume entire moral and material responsibility." 1

1- Emphasis added.

Testimony

Colonel Moukhtar Bey, officially testified that in Kerasunde, he received instructions relative to the Deportation of the Armenians. In a coded telegram Jemal Azmi Bey, Governor General of Trebizond, issued the following order:

"Transport Armenians directly to
Massoul via ^{the} Black Sea." 1

1- La Renaissance, No 112, Thursday,
April 11, 1919. Emphasis added.

Approved draft of law
regarding compensation
and formalities to be
adopted in connection
with deported persons
and their properties
which are to be liqui-
dated according to the
draft of law dated the
12th September 1331, 1915.

Article 1

In conformity with the
provisional law dated the 17th
Zilkaddé 1333 (12 September
~~191~~ 1331 -1915) regarding the
abandoned property, debts and
credits of deported persons and
in compliance ~~of both~~ ^{with} the regu-
lation of both 30th Zilhijja 1331
(26 October 1931-1915) respecting
the mode of execution of the said
law, the immovable properties
registered in the name of the
Treasuries of the Finance and the
Evkaf Departments and being act

Law regarding the properties[✓]
of Armenian Deportees.
The official Journal published
in its No. ~~of~~ January 12, the
following law that we are trans-
lating for its importance.

Article 1

In conformity with the pro-
visional law dated September 26,
1915, regarding the ~~regulation~~
abandoned properties, debts and
credits of deported persons and
in compliance with the regula-
tion of both 26 October 1915
respecting the mode of execution
of the said law, the immovable
properties registered in the
name of the ^Treasuries of the
Finance and the Evkaf Depart-
ments and being actually

Approved Draft of law

Law

regarding compensations
and formalities to be
adopted in connection
with deported persons
and their properties
which are to be liqui-
dated according to the
draft of law dated 12th
September 1331 (1915).

regarding the properties
of Armenian Deportees.
The (Turkish) Official
Journal published the
following law, which we
are translating for its
importance word by word.

Article 1

Article 1

In conformity with the pro-
visional law dated the 17th
Zilkaddey 1333 (September
12, 1915) regarding the
abandoned property, debts
and credits of deported persons
and in compliance with
the regulation of both 30th
Zilhejja 1333 (October 26,
1915) respecting the mode
of execution of the said law,
the immovable properties re-
gistered in the name of the
Treasuries of the Finance
and the Evkaf Departments

In conformity with the pro-
visional law dated September
26, 1915, regarding the aban-
doned properties, debts and
credits of deported persons
and in compliance with the re-
gulation of both October 26,
1915, respecting the mode of
execution of the said law, the
immovable properties registered
in the name of the Treasuries
of the Finance and the Evkaf
(Pious Institutions) Depart-
ments and being actually in the
hands of both Treasuries should

If the price of such ~~properties~~ properties has already been paid, it should be given back. If any buildings have been added to such property, these cannot prevent the restitution of the property, and in this case, the latter will be dealt with in accordance with Article 10. The fact that no claims has been made within six months, would imply ~~the consent of~~ the consent of the owner to the expropriation of the property.

Article 4

If any of the immovable ~~properties~~ properties mentioned in Article 1, ~~has~~ been requisitioned in conformity with the law of 15 Jumazel Evvel 1334 (March 7, 1916) on the requisition of dwelling-houses and other buildings in time of War, such property falls within the terms of the said law.

to in Article 1, made in conformity with the law and use for public utility, the procedure of the said expropriation will be considered valid and the consequences of the formality falls within the terms of the law and use.

Article 3

In some of the immovable properties of deported persons referred to in Article 1, had been expropriated and demolished for public utility but have, up to date of publication of this law not been converted into public streets, squares, etc...they should, as per same article be restored and the expropriation formalities carried out in this respect considered as null and void in case the owners should make their claims within six months from the date of publication of this law.

Article 3

If some of the immovable properties referred to in article 1, had been requisitioned in conformity with the law of March 7, 1916, during the mobilization, such properties fall within the terms of the said law.

of these heirs or parties entitled. of these heirs of parties entitled.
titled.

The immovable properties
which have no heirs or parties
entitled should be registered
in the name of the school,
church or monastery that will
be indicated by the local eccle-
siastical Chief of the Community
to which the original owners
belong.

Article 2

Article 2

The present law applies to
all formalities which have been
fulfilled from the 21st July 1914-
date of the promulgation of mobili-
zation till the 31st October 1334
(1918)- date on which the Armistice
was concluded- either by deported
persons or by other parties in
respect of the movable, as well
as of the immovable properties
of the former.

Article 2

The expropriation (istimal)
of the immovable properties referred

and being actually in the pos- at once administratively made
 session of both Treasuries over by these (Treasuries) to their
 should at once be adminis- original owners if these are alive
 tratively made over by these and should then be rectified ac-
 Treasuries to their original cordingly in the register-book.
 owners if these are alive and
 should then be rectified accor-
 dingly in the register-book.

<p>Such properties which have hitherto not been registered in the name of the above Trea- suries, should be maintained in possession of their original owners if these are alive and then be handed to the latter.</p>	<p>Such properties which have hi- therto not been registered in the name of the above Treasuries, should be maintained in possession of their original owners if these are alive and should then be han- ded to the latter by both Trea- suries.</p>
--	---

<p>The immovable properties of which the original owners are dead, should immediately be de- livered by the oversaid Treasu- ries to their heirs or parties entitled whether these properties are or are not registered in the name of both Treasuries and should then be transferred in the name</p>	<p>The immovable proeprties of which the original owners are dead, should immediately be delivered by the oversaid Treasuries to their heirs or parties entitled whether these properties are or are not registered in the name of both Treasuries and should then be transferred in the name</p>
--	--

D e c i s i o n

made ~~up~~ by ^{the} Young Turks' Union and Progress Party
to annihilate all non-Tirkish elements in the
Ottoman Empire

Article 1

The non-Moslems who form unimportant minorities and who will be granted the right to practice their own religion, have to speak and pray in Turkish instead of their own language.

Article 2

The Congress~~e~~ (held in salonika) is opposed to the formation of political parties. The authorities have to fight against nationalist movements ~~regard~~ regardless of the price and through any means in order to facilitate the rule of the Moslem element.

Article 3

The Congress is opposed to any idea of autonomy.

The idea of decentralization amounts to treason~~s~~ against the Turkish fatherland.

Article 4

In agre~~am~~ent with the Committee (Urion and Progress) and in a spirit of collaboration, the Government must do everything possible to prevent the Christians from acquiring any property, especially land.

Article 5

(Moslem) colonies in the eastern provinces (of Ana-

tolia) have to be expanded and their ^unumber increased.

Every effort must be made to settle another 20.000 Moslems this year. ⁽¹⁹¹⁰⁾ For this purpose ^(7,000,000 dollars) 200.000 Turkish pounds must be allocated to facilitate their resettlement.

Article 6

Complete disarmament of the Christians, and secret arming of the Moslems.

Article 7

For the achievement of the goals expressed above, the Central Committee (of Union and Progress) has to establish closer relations with the other Party Committees operating in Persia, the Caucasus, Turkestan and Egypt.

Article 8

England and Turkey have several millions ~~of~~ Moslem subjects whose national awareness has been awakened and strengthened following the Turkish revolution. The goal is to bring them together under the Caliphate's jurisdiction.

Article 9

The Panislamic Movement is also very strong in Morocco, Tunisia, Algeri^a and India. The fact was confirmed at the same time when contributions were requested for the benefit of the Turkish Navy.

Article 10

The fact gives us, young Turks, ~~enthusiasm~~ enthusiasm, hope and encouragement.

At Constantinople the Turkish Court-Martial delivered on May 27, 1915, a ^{verdict} sentence ^{of} condemning to death twenty-two Hinchakists accused ^{and} to create ^{and} independent ^{and} autonomous Armenia:

"IT" ^{being} established during the course of trial ^{held by} (before) this Court, in the presence and absence of the accused that they have organized plots to create an ^{and} independent ^{and} autonomous Armenia; inciting to detach a part of the territory of the Empire from the Ottoman Government and, in addition so convening secret and public congresses in various regions of foreign countries, they have made publications, provocations and correspondence...¹

A chief Hinchakist Varaztad, delegate to the Congress of ^{Roumania} Constanza had written a letter from ^{here} ~~Constanza~~ to Dr. Benné. By order of Nazif Hurshid Bey, President of the Court-Martial, the letter of Varaztad was read ^{at the second session} ^{as well as} ~~between~~ other documents:

"To be ready for the historical crumbling... In order to crumble the last dyke of the Panama Canal, President Roosevelt pressed the electric buzzer in the White House and from a great distance, the electric current ^{raised} ~~rose~~ to the sky the soil and stones of the solid dyke...The crumbling of the Union and Progress Party⁵ (ittihad) dyke will be like this...We need hands to press our button and raise Babi-Âli's (Ottoman Government Palace) smokescreen to the sky... Where are those hands? Who will press that button?...All of them (names of Hinchakists he gave above) are conservative, all of them are spineless... I look around and see only you, my dear camrade, come on. Perhaps S. Vahaken, Gatmus and Vanig may help you. " ²

to the purpose of the legislator and our goal. Therefore, I urge you to communicate the necessary orders, confidentially, to all Courts-Martial in the area of your jurisdiction in order to conduct deep enquiries and unify the jurisprudence".¹

The activity of the Courts-Martial are pure ~~form of~~ legalism to begin ~~masses~~ wholesale murders. Dr. Bahaeddin Shakhir Bey on February 18, 1915 wrote to ENA Jemal Bey, Executive Delegate of Union and Progress in Adana and Aleppo/ to organize there massacres: "For the time being it has been deemed proper to punish the notables by l e g a l m e a n s; ^T this will be the starting of our future actions".²

U-P + ARF

Agreement

1

Union and Progress Party of Young Turks and Armenian Revolutionary Federation ~~reached~~ ^{signed} an agreement in Paris on 27-29 December 1907.

1. Armed opposition against the Government.
2. organized opposition, as political and financial strikes...
3. Avoid to ~~pay~~ ^{paying} taxes.
4. Propaganda in the Ottoman Army: appeal to the soldiers not to attack the people, or the revolutionaries.
5. General uprising.
6. Use strategic means, in accordance with the revolutionary strategy. 1

Union and Progress Party and ARF signed another agreement after the massacre organized and carried out by Young Turks

1. Hayasdan Yev Hye Tade ^Usd Tashnakererou, Armenia and Armenian Question according to Treaties, by Gabriel Lazian, Housaper Press, Cairo, Egypt, 1942, p, 64-69.

in Cilicia April 1, 1909. The date of the agreement is August 26 / September 7, 1909.

1. Preservation of the Constitution;
2. Action against reactionaries;
- 3 - Maintain the Integrity of the Ottoman Empire;
- 4 - Both parties agree to extend rights in the provinces.
- 5 - UxP and ARF cooperation to avoid events (massacre) such as on March 31 (1909) and the tragedy in Adana. 2

Both Parties kept their character of Secret society even after the recognition by ^{the} Ottoman Government the legality of Parties, since 1910. But Russian Government ~~did~~ never recognized ARF as a legal Party.

Both agreements reached by UxP and ARF were broken since September 1912. 3

2. Lazian, op. cit. p. 71-72, from Azadamar, September 6, 1909.

3. Fem Hoosherez, My Memoirs, by Vahan Papazian, Deputy Representative in The Ottoman Parliament, Hamazkain Press, Beirut 1952, II volume, p. 190-192.

However, a meeting was held at the home of Bedros Halajian, a member of the Union and Progress Party, and Deputy representative in the OTTOMAN Parliament.

U & P was represented by Talaat, Halil (Mentesh) and Secretary Midhat Shukri, ARF was represented by A. AKNUNI, Vartkes, and Armen Garo

Young Turks accepted to introduce ^{The} ~~introduction~~ ^{tion} of reforms in the eastern provinces; They proposed that Boghos Nubar Pasha renounce to call European powers.

They tried to make a reconciliation in a banquet ^{on} ~~in~~ Prinkipo Island.

Jemal Bey, commandant de place, Stamboul, Talaat, Midhat Shukri, Halil (Mentesh), Armen Garo, A. AKNUNI, Vartkes, H. Tiriakian, Vahaken and Vahan Papaxian ~~at~~ were present in the Banquet of reconciliation.

"Jemal ... tried to explain our [Armenian] mistakes, our [Russian] orientation. It will be ^{The} ~~be~~ Same", he said, "even you will be suc-

Circular Instructions of Talaat

"The coded circular signed by Talaat, dispatched on July 11, 1915 to the governors of Diarbekir and Memuret-ul-Aziz, Urfa and Der-Zor (Serial No 11) establishes that the massacres were carried out not only with the knowledge but also by order of Talaat Bey, Enver Bey and Jemal Bey.

"In this circular telegram Talaat Bey ordered the burial of corpses abandoned all along the highways, that they have not be thrown into ditches, lakes and rivers, and to burn the effects left on the roads ^{be burned.}

1- Takvim-i Vakayi, official journal, No 3540, published May 5, 1919. The telegram was read at the session of the Court Martial of April 27, 1919.

^{ON} ~~Le 22~~ July 23, 1920.

ONE of the responsible ^{involved in} ~~of~~ the Massacre of Erzinjan, hanged.

Since long time ~~ago~~ the Court Martial tried ~~to the responsible~~ those implicated in the massacre of Erzinjan:

Memdouh, native of Moughla, 44 years old, Mutessarif;

Hafez Abdullah Arni, 48 years old, brother of Abdul Ghani, responsible Secretary of the Union and Progress at Adrianople;

Halet, Deputy for Erzinjan;

Haji Haïdar Riza Vahidzade;

~~X~~ Kirmo Yussuf;

CHAVoush Aslan;

Rifaat Mehmed, governor of Dantzig and chief of tribe.

Hafez Abdullah ARNI, brother of Ghani, was released from prison during the Mobilization [July 1914] and designated

2

Secretary of gendarmes; he was assigned to search arms among Armenians and had committed many atrocities, torturing and killing even children, ~~At = In~~ Kemakh he assassinated the elderly people and children in the caravans of Armenian deportees using the gangs (chetes) he had himself organized.

Hafez Abdullah and Riza used their gangs attacking Khachik Effendi A Notable Armenian of Erzinjan.

After having committed many crimes before and after the deportation of the Armenians, he was sent by the Gendarme Commander of Adrianople to join his brother Abdul Ghani, Responsible Secretary of the Union and Progress Party at the same City.

Among the witnesses against Hafez Abdullah Arni was Colonel Riza Bey, Chief of Staff.

Even against his denegations, Hafiz Abdullah Arni was sentenced to death, while Hallet [Deputy for Erzinjan],

3
Kerem Youssef and Chavoush Aslan
were sentenced to death in absentia.

Hafez Abdullah Arni was hanged
yesterday 1 at the Bayazid Square, 2
He was shouting before to die on the
gallows: « Long live the Union and
Progress Party; I served my country by
killing Armenians. » 3

Among the assistants at the Bayazid
Square there was an Armenian woman
from Erzinjan who ~~had~~ heard Hafez
Abdullah Arni shouting to Armenians;
"I am your god, ~~when he was du-~~
ring the massacre of the Armenians
of Erzinjan. » 4

-
- 1- July 22, 1919.
 - 2- Bayazid Square in Istanbul.
 - 3- Such was the Turkish ideology.
 - 4- Such expression ~~was was the proud~~
used
by ~~the~~ Turkish gangs showed the
pride of their ideology.

4

THE UNITED STATES NO. 439, JAJ, 8859

April 16, 1920

Generality.

A great number of deputies involved in massacres were elected because of the benevolent former government for the Millis by the partisans of Moastapha Kemal.

Their quality of representative preserved them to ~~be~~ be deferred before the Court Martial.

The actual Government issued order to the presidency of the Court Martial to try the following eight deputies:

Ahmed Hilmi Bey,	deputy for Kayseri,
Hakki Behif Bey,	" " Antalia,
Zulfi Bey,	" " Diarbekir,
Ali Tenani Bey,	" " Aintab,
Ismail Kemal Bey,	" " Chordum,
Haider Bey,	" " Van,
Youssof Kemal Bey,	" " Kastamouni,

5

Suleyman Sirri Bey, deputy for Izmid.

He later introduced a Takriz (motion)(1) in the Chamber of Representatives asking the dissolution of Courts Martial.

Alemdar criticized him very strongly, but the Government denied the participation of Sirri Bey in the Massacres.

More than these deputies involved in the Massacres, an investigation will be held against fifteen other deputies who will be tried by the Court Martial if the investigation shall be defavorable.

The Court Martial made a decision to try in absentia the de-

1-Motion in chamber.

6

~~in Ankara~~
puties who are fugitives, to join
Mustapha Kemal at Ankara.

Decision is made to form an extra-
ordinary Court Martial to try the na-
tionalist rebels. The Tribunal will
begin the trial in May under the
presidence of Kurd Mustapha Pasha
whose impartiality is proved in
during the trial of Kemal Bey
Kaymakam of Boghazlian,
sentenced to death by Mus-
tapha ~~Kama~~ Pasha in his
capacity as President of the
Court Martial.

No 462, April 20, 1920
Generality.

7

The dossiers of eleven deputies implicated in the affair of deportations to the presidency of the Court Martial; really ^{after} an investigation ~~began~~ the trial began against three other deputies.

April 23, 1920
At Samsat,
Court Martial.

The Prosecutor of the Court Martial made a decision to try Suleiman Sirri Bey, Deputy for Izmit, involved in the massacres and deportations of the Armenians. His dossier is delivered to the Judge of instruction of the same Court.

8
- The Inquiry concerning Ten other
deputies is continuing

As soon as the Imperial Edict
relative to ~~for the~~ ~~for~~ formation
of an Extraordinary Court Mar-
tial will be promulgated, The
First Court Martial presided over
by Kurd Mustapha Pasha will ~~be~~
charged try, the affair of Mas-
sacres and deportations in
which are involved the responsible
Secretaries of the Committee Union
and Progress, as well as former Valis,
all those who will ~~in~~ named in
the prescriptions of fetvas!

1- Decree.

RELEASE OF CRIMINALS FROM PRISONS

*Union and Progress Leaders denied the connection of the Special Organization with the Central Committee of the Party; official documents prove that the connection existed, and the Committee organized since the mobilization in July 1914, the Special Organization gangs for the extermination of the Armenian people in the Ottoman Empire. 1

1. Takvim-i Vakayi No 3557, 5th session, May 14, 1919, published 25 May 1919, p. 97

Release of ~~Per~~ criminals from prisons

« President - Did you release the criminals from prisons? This is a fact of primary importance. This is the question.

« Atif Bey - The criminals were to be released from prisons; a proposition was made to prepare by-laws; so, by-laws were prepared and I think that provisions were inserted in the regulations, and so, the release of criminals was an accomplished fact, even in other countries.

« President - This is another question. What were the directives of your preference?»

1. Takvim-i Vakayi, No 3549,
session of May 8, 1919; published on
May 15, 1919; p. 57-58.

3

1

Official Proclamation

1. With the exception of the sick, all Armenians are obliged to leave, within five days from the date of this proclamation, and by ~~villages~~[✓] of quarters, under the escort of the gendarmerie.

2. Although they are free to carry with them on their journey the articles of their movable property which they desire, they are forbidden to sell their landed and their extra effects, or to leave them here and there with other people. Because their exile is only temporary, their landed property, and the effects which they will be unable to take with them will be ~~taken care~~^{cared for} under the supervision of the Government, and stored in closed and protected buildings. Any one who sells or attempts to take care of the movable effects or landed property in a manner contrary to this order shall be sent before the Court Martial. They are only free to sell to the Government, of their own accord, those articles which may answer the needs of the Army... 1

1. National Archives, Washington D.C. 867.4016/122,
June 13/26, 1915 - The text in Osmanli is published in
Trebizonda Meshveret, official organ.

"In the first place from the date of proclamation June 25, no Armenian was allowed to sell anything and everybody was forbidden under penalty (see the text of the proclamation) to buy anything from them...

"The thousand Armenian houses are being emptied of furniture by the police one after the other. The furniture, bedding and everything of value is being stored in large buildings about the city. There is no attempt at classification and the idea of keeping the property in a bales under the protection of the Government to be returned to the owners on their return" is simply ridiculous.

"The goods are piled in without any attempt at labelling or systematic storage. A crowd of Turkish women and children follow the police about like a lot of vultures and seize anything they can lay their hands on and when the more valuable things are carried out of a house by the police they rush in and take the balance.

"I see this performance every day with my own eyes.

"I suppose it will take several weeks

to empty all the houses and then the Armenian shops and stores will be cleared out.

The Commission which has this matter in hand is now talking of selling this great collection of household goods and property in order to pay the debts of the Armenians. The German Consul told me that he did not believe that Armenians would be permitted to return to Trebizond even after the end of the war. ...!

1- National Archives, Washington D. C.
867.4016/122, American Consul Oscar
S. Heiser, to Ambassador Morgenthau, June
28, 1915.

Wednesday, October 28, 1915

Laws and Regulations

Regulation relating to the Mode of
Application of the Law
~~dated~~ September 13, 1915.

Regarding Chapter I
Concerning Immovable Property

Article 1

The day after ~~the~~ official notification of the
present Regulation, in all districts where there ^{is} ~~are~~
immovable property belonging to deported persons, a
Commission will be formed by the highest civil official
under the presidency of the highest public treasurer
and composed of one official of each administration
of ^{Tax office} contribution, real estate registrar office, and,
Evkaf Department (Pious Foundation) if there ^{be} ~~is~~ one.

Such Commission, within ^{the} three days ^a ~~deadline~~ ^{of}, will
first of all extract from ^{the} land register ^a the list of all
^{transactions} sale operations ~~effectuated~~ by the above mentioned
persons, ^{beginning} ~~starting~~ ^{prior to} fifteen days ^{duly} before their depor-
tation. Such list, after having been ^{duly} sealed, must be
delivered to the Commission of Liquidation.

The date of deportation starts the day ~~when~~ the order of deportation was given. This may be corroborated and ascertained ^{from the} ~~by~~ a written report of the highest local official.

Article 2

The Commission, after having achieved the opera-^{requirements transactions}-
tion mentioned in the first Article, taking into consideration the wards and villages and referring to registers of taxes and lands, will soon prepare booklets in ^{duplicate} two copies, ^{noting} writing down ^{entered} one by one buildings and lands which are ^{showing} figuring on the registers of Pious ^{Extra} (Foundation) and ^{loans} submitted to two kinds of rent, one ^{to be} to be paid ^{to be paid / specified} immediately and the other with terms, as well as other immovable possessions belonging to physical persons deported and moral persons as community associations and institutions which have, in accordance with the provisions of provisional law dated February 16, 1912, a right of possessions.

Each register must contain the street or situation-^{location} of the immovable property, the number of the door ^{on each} of the building or the number of the registration, the ^{amount belonging to} quantity of the part of each if it is a ^{co} joint ownership, the actual status and names of owners.

When preparing the registers relative to the villages that, because of the deportation of the entire

^{un-}
~~are~~ inhabited
 Population, are, at present ~~time, remained~~ empty, in order
 to distinguish the main owners of bulidings, one must take
 into consideration not only the order and classification
 of the register on the basis of taxes, ^{de} inscriptions and
 explanations contained in the ~~regulation~~ ~~re-registern~~ of
^{detailed register of payments}
~~retaliation of~~ conclusions and receipts, but also the
^{assessors}
 opinion~~s~~ of well-read persons and perceptors ~~f~~ of the
 villages and, if needed, the information of aged and
 trustworthy personal^sities of neighboring ~~vt~~ villages.

Article 3

The register prepared ^{accord} ~~the~~ ^{to the} provisions of
 the precedent Article, will ^e ~~be~~ ^{in duplicate} signed by the ~~z~~ Commission;
 and ^{e ing} ~~then,~~ ^{one} ~~a~~ copy ^{to} will be delivered to the administrative ^{ve}
 Council for examination, ^{and} the other copy ^{to} will be deposited
^{at}
 to the office of the General Paying Treasurer, ~~in order~~
^{all}
 to be available for interested persons.

The Administrative Council, after having examined
 and approved the registers, will ~~fixe~~ ~~the~~ values in ac-
 cordance with the provisions of regulations applied ac-
 tually to the estimation of land prices and buildings
 which become ~~to~~ ^{property of the} State by the death of the owners and ^{reason of} ~~and~~ ^{who}
^e leaving ~~no~~ heirs; it ^{will record} ~~writes~~ the ~~man~~ minutes below each
^{them}
 register and sends ^{them} respectively to the Department^s of
^{Eukaf} Finances and Pious Foundation; it ^{will also} ~~delivers~~ also a certi-
 fied copy of each register to the Commission of Liquidation.

Article 4

In accordance with the provisions of the Law dated September 13, 1915, no ~~charges~~ ^{fees or} and taxes will be collected for the registration directly effectuated or by judgement in the name of Public Treasury and Treasury of ~~Pious Foundations~~ ^{Evka f. Department} ~~dations.~~

Chapter II

The mode of forming Commissions:

Their Tasks, ~~and~~ Prerogatives,
and ^{es} Attributions

Article 5

Commissions will be formed to accomplish the tasks determined by the provisions of the Law dated September 13, 1915, in the localities designated and proclaimed jointly by the Departments of Internal Affairs and the Ministry of Justice.

Each Commission will ^{be} ~~comprise~~ ^{of} a president designated by the Department of Internal Affairs and two members: one of the Department of Justice and the other ^{from} ~~by~~ the Department of Finance.

In case of need, in localities where ^{there are} ~~works are~~ important and abundant, ^{tasks to be performed} the Department of Finances and the Department of Internal Affairs may ^{each} designate each an additional member.

Article 6

The Presidents of the Commissions ^{are invested with} ~~have~~ the power to engage employees and secretaries ^{deemed} ~~they~~ necessary with the understanding not to intervene ^{for} ~~in the~~ affairs of liquidation.

Article 7

^{if} ~~As,~~ because of ^a ~~the~~ lack of ^{tasks to be performed,} ~~operations,~~ Commissions have not been formed, the preparation of the operations of liquidation ^{procedures} concerning ~~the~~ persons who have been deported ~~ed~~ from the localities and the ^{ording} ~~redaction~~ of minutes to be ^{the} ~~recorded,~~ belong to the Commission formed in ~~an~~ area nearest ^{to these localities.}

To The

The Commission may ~~article~~ entrust the verification of these operations, except ~~the~~ affairs concerning debts, to one or more persons designated by the President.

In accordance with the provisions of the Article 5 of the Law dated September 13, 1915, ~~the~~ ^{minutes} of liquidations ^{to be} ~~are~~ ^{of} registered by ^{the} ~~a~~ civil court ⁱⁿ ~~of~~ the legal residence ~~that~~ the debtor ~~had~~ prior to his deportation.

Article 8

Honoraries ^a ~~are~~ granted to the Presidents will be one and ^{each} ~~a~~ half T.P. daily, and ^a ~~members~~ one T.P. daily.

Other daily honoraries ^a ~~are~~ estimated and ^{established} ~~fixed~~ by the Commissions with the understanding that it not be ^{more} ~~over~~

than ^{one} half ~~of~~ T.P. daily for the persons who shall work ~~fol-~~
~~lowing~~ ^{according to} the provisions of the precedent ^{being} Article as delegates
 appointed by the Presidents, 40 piastres ^{are to be paid to each} for employees and secretaries.

Article 9

functions

The ~~tasks~~ of the Presidents are: to ascertain that
 the Commissions accomplish regularly their duties ~~resul-~~
^{provided in the} ~~ting of~~ laws and regulations, to distribute to ^{each individual} members
^{according to his} following their ability, ^{responsibilities} the ~~affairs~~ ^{he} which must ~~be carried~~
^{establish record his actions} out individually, to ~~fixe~~ the affairs if necessary, with
 documents such as minutes and receipts.

discharge,

Article 10

The Commissions have to make decisions to collect,
 claim, ^{and} cash all ~~the~~ money ^{from all the sale of all} of movable possessions, deposits
 and ^{assets} creances belonging to the deported persons; to ^{sell} ~~sale~~ at
 by auction the abandoned goods which are ^{liable} ~~subject~~ to con-~~te~~
^{to} test, pursue and liquidate other affairs ~~which are~~ within
 their ^{jurisdic} ~~attributions~~. Following ~~the~~ Article 3 of the Law,
 these operations must be carried out by the President or
 by a member invested with a letter, or ~~by~~ a person ~~chos~~
^{designated} and mandated with a procuration by the President.

Article 11

dossiers

All ~~dossiers~~ prepared, all operations carried out
 and by the ~~cooperation~~ ^{e body} corporation formed by the Government
 to

prior to the application of the present Regulation, will be delivered to the Commission of Liquidation.

Among the dossiers delivered, ^{should be assets} if there are creances ^{of} on the deported persons or, claims concerning abandoned goods, in accordance with the following Article, ^{subsequent} necessary operations are accepted and carried out, after having completed what is missing and effectuated other formalities. —

Article 12

Those who have claims ^{from} of the deported persons must introduce to the President of the Commission a request, adding originals or certified copies of titles of ^{credit} creance and other documents, and procuration ^(in case) when the request is made ^(by) mandatory, their ^{specific} addresses ^N chose^d as well as the qualification of the debtor, his residence prior to the deportaiton and the origin of the debt.

A receipt sealed by the Commission will be delivered to the plaintiffs bearing: ^{the notation} "a request had been made on.... (date).....to.....", and ^{include} comprising the names of the creditor ^(mortgager) and debtor as well as the number, nature and dates of documents ^N annexed to the request^s.

Taking advantage of the delays ^{established} in the Article 4 of the Law dated September 13, 1915, it is possible to have recourse also to the Commission of the locality where the debtor resided prior to the deportation, by telegrams ^{containing} comprising necessary informations concerning ^{fairly} fairly

the plaintiffs, the defense and lawsuit.

However, in order to take advantage of rights granted by the abovementioned Law, it is required that, in accordance with the ^e proceedings ~~par~~ paragraphs of the present Article, ~~the~~ dossiers and necessary documents must be prepared, registered and accepted before the Commission, ^{which} having completed the operations of liquidation concerning the debtor, has composed the joint minutes.

Article 13

The Commission^s, as soon as they are formed, must fulfil the following obligations:

a- To ^{begin & inquiries regarding sales transactions} open investigations concerning ~~the~~ operations of sale as ^{recorded} figured on the list that ^{is to} will be delivered in accordance ^{ing to} with the provisions of the Article 1. In case of necessity, to bring and examine documents serving as evidence and to have recourse to ^{the} court in order to realize and cancel those ^{documents represent} which ^{fraud} comprise excessive ~~fraud~~ or injuries ~~damages~~.

b- To take ^{of} in possession ~~in~~ cash money and furniture that the government has taken under control and that belong ^{ing} to ~~the~~ deported persons, as well as all ^{other} goods belonging to ~~these~~ such persons. ~~these~~.

c- To apply to banks and institutions and ask account of sums and goods deposited by the deported persons, ^{withdraw} ~~retire~~.

them completely, except those which are ^{edges} ~~plages~~ (tokens).
^{In case of pledged}
~~For tokens, to apply in accordance with the general regula-~~
~~tions. will shall be applied.~~

d- To apply to competent courts and administrations and, in conformity with the Article 7, Paragraph 1 of the Law dated September 13, 1915, ^{to} ask for breaking of official seals ^{im} posed on the goods of deported ~~gm~~ persons.

e- ^{By every} ~~With all~~ possible means, or through other ^{available} ~~forms~~ ^{channels} of opportunity to make searches and inquiries, ^{to} examine documents and commercial registers, and in ^{should} case the ~~assets~~ investigations and examinations ^{disclose} discover assets (possession or credits) ^{belonging to} ~~of~~ deported persons ^{from} ~~on~~ other persons, make them pay and collect rights and amounts. If needed ^{be} to introduce actions, pursue and bring to a successful conclusion the actions introduced ^{on behalf} ~~in favor~~ of deported persons in accordance with the Article 7, last paragraph of the Law dated September 13, 1915.

Article 14

In accordance with the provisions of ~~the~~ Paragraph III of the ^{being} ~~precedent~~ Article, Administrations, institutions, Banks and persons must immediately deliver to the Presidents of the Commissions ~~when they claim the~~ accounts ^{Where they are claimed, necessary,} and if needed, documents, titles and letters which may serve to ~~bring~~ evidence.
^{as}

Article 15

AT?

(As) the examinations made ^{on behalf of} ~~against~~ the deported persons, the Commissions must: ~~make a comparison of~~ ^{if it is possible} claims with the commercial registers of debtors, in case that ~~it is possible to find and preserve them; bring, if there~~ ^{Signature} is, from courts and administrations their papers, ~~and~~ seals or documents bearing their signatures and corroborating claims, ^{if there are any and from those deceased} ask for information ^{to those whose words are} trustworthy and who had been in ^{contact} relationship with the aforesaid deportees; in ^{the} ^{that} case the claims must be proved by testimonies, hear those who will testify before courts and ^{include} ~~insert~~ their names in the joint records, in order that they may be heard by a court in localities where commercial items of complaisance, ^{such} as facility certificates or bonds, circulate in great quantities, make ^a detailed searches for such items.

Article 16

^{There} Must be inscribed in registers and preserved the objects, images and holy books which are in churches; ~~that must be~~ transfer them to the Administration of the Public Education the right of using schools, ^{monasteries} ~~convents~~ and all ^{educational} ~~scholar~~ materials.

Article 17

^{Sums of money} ~~The amounts~~ resulting ^{from} of goods the owners of which are unknown, will be registered in the name of villages

or wards and will be sent there where populations of aforesaid villages or wards are established by ^{order of} the Government. x

Article 18

During auction sales of movable possessions, the Commissions must take into consideration the place and ~~time~~ ^{at} opportunity and try to sell the aforesaid goods in their ~~right prices~~ ^{just} values.

Article 19

The registers of accounts which must be held by the Commissions are ^{to be} of two kinds: a basic register and a register for current accounts of abandoned goods. The models of such registers and ~~explanations~~ ^{our} (explicative) instructions are ^{attached} annexed to this regulation.

In case of need and necessity, the Commissions ^{may} can also use auxiliary registers. In order to ascertain that accounts are ^{maintained} held correctly and accordingly to the ^{enafory} (explicative) instructions, the President of the Commission must always maintain under inspection and control the register of inscriptions. The President will be responsible of all abuses and deficits resulting from irregularities in accounts.

Article 20

The notification^s and communications of the Commission made in accordance with the provisions of the Special Law and present Regulation have to be carried out for ^(by?)

concerned employees.

Article 21

In order to ascertain and activate the carrying out of obligations ^{established} ~~fixed~~ by the Special Law and present Regulation, the Government makes available to the Commissions sufficient number of police agents and gendarmes, as the ^{deemed} ~~the~~ President indicates the necessity ^{any} ~~by~~ the President.

Article 22

The activities of the Commissions are under ^{The} ~~inspec-~~ tion and control of the Central Government.

Article 23

The President and members ^{of the commissions. to be held} ~~are~~ also [^] ~~materially~~ [^] ~~res-~~ ^{for any} ~~pensible~~ of damages resulting from intentional non-accomplishment of tasks, or negligence, and delays in the accomplishment of obligations ^{established} ~~fixed~~ by the Special Law and Regulation.

Article 24

The present Regulation will ^{become effective} ~~enter into force~~ the ^{to} ~~day~~ of its publication.

Article 25

The Departments of Internal Affairs, Justice and Finances ^{with} ~~are~~ ^{inf} charged ~~to~~ carry out the provisions of this Regulation.

I decreed ^{be applied} ~~to apply~~ ~~the~~ present Regulation ~~and it~~

13

be in addition to

~~have~~ ^{to} ~~be added over the~~ State Laws.

October 26, 1915.

(SIGNED:)

Mehmed Reshad (Sultan),

Enver, ~~Minister of War~~

Mehmed Said, Grand Vizier,

Enver, Minister of War and Acting Navy Minister,

Hayri, Supreme Chief of Divine Law and Minister
of Imperial Pious Foundations,

Talât, Minister of Internal Affairs and Acting
Minister of Finances,

Abbas, Minister of Public Works,

Ibrahim, Minister of Justice, Acting President of
the State Council,

Ahmed Nesimi, Minister of ~~Education~~ Commerce and
Agriculture,

Ahmed Shukri, Minister of ~~Education~~ Education and
Acting Minister of Post and Telegraph
and Telephone.

Supporting
Basic Register

of the Commissions for Liquidation
of Abandoned Goods

In accordance with the provisions of the Law dated
September 13, 1915, concerning goods, debts and credits
abandoned by persons deported elsewhere, in the basic

registers of Commissions for Liquidation ~~(will open)~~ fourteen accounts ^{will be opened} under the following titles:

- 1- Abandoned Goods in general,
 - 2- Abandoned Cash, ^{Money,}
 - 3- Abandoned ^{goods/} deposited,
 - 4- Abandoned assets,
 - 5- Amount of ^{Proceeds of from sales of} furniture sold,
 - 6- ^{Proceeds of} ~~Value~~ of immovable property transferred to the Treasury of Pious Foundations and ^{what separates} ~~values transferred to~~ the Treasury of the Department of Finances,
 - 7- ^{proceeds from the sale of} ~~Values~~ of immovable property transferred to the Treasury of the Department of Finances,
 - 8- Abandoned Debts,
 - 9- Payment of Debts,
 - 10- Expenses ^{incurred} for Abandoned movable goods,
 - 11- Provisional expenses,
 - 12- Tributary persons: ^{derived from} ~~(resulting of irregular operations)~~ ^{transactions}
 - 13- Current Cash accounts of deported persons,
 - 14- Current accounts of the Coffers of the State, ^{Treasury.}
- Fourteen current accounts will be opened in their ^{se} names.

^{These} The nature of such accounts ^{is established} are fixed as follows:

1. Abandoned Goods in General: the debit of such account ~~are~~ ^{is} ~~figured~~ i.e. the right page (on the right) is

composed of credits of accounts No 2-7 of the last page and the accounts are ^{to be audited} ~~held~~ at the end of the month.

2. The Abandoned cash accounts: on the right page of this account ^{u is to be designated} are ~~figured~~ the abandoned sums in cash, and which had been ^{over} ~~recuperated~~ during verifications. They will be registered in this account as debit and in the first account as credit. They constitute the amounts which ~~have~~ ^{will be shown} ~~been paid up on account~~ figure on the left page and which have been ^{deposited in to the} ~~paid up on~~ account of the Public Treasury and registered as credit for the month, will be transferred in a number to the right page of the first account and to the left page of the 14th account.

3. the [No 3-7] accounts ^{to be} are ~~exactly~~ in the same position as the second account.

4. Abandoned Debts: ^{behind} ~~the~~ debts left ^{on in} ~~by~~ the deported persons, established and acknowledged by the Commissions, will be registered ^{on} at the right page of this account. As to the sums registered ^{on} ~~for the~~ account of such debts, at ~~on~~ the right page of the ~~3rd~~ 9th account, will be registered in one figure at the end of the month on the left page of the aforesaid ~~8th~~ 8th account and on the right page of the 10th account.

5. Payment of Debts: ^{The} ~~the~~ debts registered to the debit of 8th account, will be registered to the credit

of this account. As to the debts which, in accordance with the provisions of sentences, become definitive according^{there} to the Article 6 of the Law, will be paid at the end of the liquidation and registered, during payment, ^{on} at the left page of the 14th account and ^{on} at the right page of the aforesaid 9th account.

6. The expenses incurred from the sale of or transfer of the abandoned immovable property:
 Considering that the ^{proceeds from the sale or transfer of} immovable abandoned property, according to the Law, ^{Evkaf Department} ~~Pious~~ Foundation or property belonging to the Treasuries of Pious Foundations or Public Treasuries. Also, the expenses agreed ^{upon} for them and products obtained ^{therefrom} of them belong to the aforesaid Treasuries. Therefore, the expenses which will be passed ^{on to is this} in the account, ^{will be} are in the sums that will be paid necessarily for the preservation and transport of abandoned movable goods. The ^{debts for} expenses of abandoned goods so paid by the Public Treasuries, will be registered ^{on} at the right page of this account and the left page of the 14th account. ^{Accrued} The payments effectuated ^{of each} in a month will be transferred to the debit ^{column} of the 13th account.

7. Provisional Expenses: In this account will be registered the sums of which the provisional expenses for abandoned movable goods are dealt necessary by the payments ^{on} at the right page of this account and at the left page of the 14th account.

8. Debit of persons: this account is for the registration of the sums remained ^{ing} in the hands of whoever ^{so} they may be for whatever reason, ~~it may be~~, in the course ~~from~~ of the administration and sale of abandoned movable goods, ~~by whosoever and or for whatever purpose~~ ^{on} As such a debit appears, it will be registered at the left page of the account to which this account belongs and ^{on} at the right page of the account of the debit of persons. ^{during} in the course of collection, the sums will be registered ^{on} at the left page of the account of the debit of persons and ^{on} at the right page of the 14th account.

9. Current account of deported persons: This account indicates the sums of those ^{money} of the totality of abandoned goods of aforesaid persons which had ^{been} ~~been~~ ^{converted} (transformed) into cash money and paid, as a deposit, ⁱⁿ to the Public Treasuries as well as ^{the summary} the resumed registration of sums ^{amounts} which had been paid ^{to} of these accounts for the expenses and debts. ^{the} its right page is composed of left pages of the 9th and 10th accounts, ^{and the} its left page, also is composed of the left page of the first account.

10. The current account of Public Treasuries: This account is like the ^{Treasary} coffers of the administrative Commissions, exactly as the accounts of coffers. The sums paid to the Public Treasuries, ^{representing} as the amounts of ^r every kinds of goods abandoned by deported persons, ^{as a} will be registered to the debit of the account, the

15 ✓

The Turkish Court Martial
in Constantinople delivered
a verdict on January 8, 1920,
sentencing to various penalties
the Executive Secretaries and
Delegates of the Union and Progress
Party who had organized in the
provinces of Anatolia the depor-
tation and massacre of the
Armenian population.

Transliteration

Venihayet mesaili

Hayetiye-i devletin ma-

balli olan akt ve halli

olan ittihat ve Terakki

Translation

Finally they (Party

leaders) had chosen

the locale of the General

Headquarters of the

Cemiyetinin Merkez-i Union and Progress
 Umumisinin ittihaz Party for vital issues
 eylediği mukarrefât-ı of the State and nego-
 cinayetkâatanelerine tiations and signature
 iştirak ve bilhassa of agreements and
 tehcir ve taktil ve treaties. Therein they
 gasbı emval ile ithaz previously planned in
 servet cürümlerini iz- details the crimes to be
 hikaba cüret olunmuş committed specifically
 ve 14 Mayıs 331 tarihli the deportations, the
 Kanun-ı muvakkat mü- plundering and seizure
 cübince icra edilen of possessions and property
 tehcir keyfiyeti menafîi and crimes for accumula-
 sayisiye ve sile tion of wealth for specula-
 ittihaz edilerek mezkûr tion and exploitation.
 Merkez-i Umuminin According to the provisory

şebekse-i teşkilâtlere law of deportation dated
dairesinde tertip ve May 14, 1915, they used the
ihzar eyledikleri ğuruhu advantages of deporta-
başıye ve dâle vasita- tions for their personal
sıyla bilhassa Ermenilerin interests. The above men-
taktir ve imhası ve em- tioned ^{Central Committee} General Head-
vâle ve eşyalarını quarters of the Union and
nehr ve yağması husu- Progress Party had formed a
sunda marel beyan kâtip network of organizations
ve muahhası mesulların used for the same purpose
bazılarınca teşkilât-ı gangs, criminals and
lazımeye tevessul ve mobs, and specifically
teadi ve bilfiil emvâl- for the execution of the
metrukeye de isâle massacre and extermina-
desti teadi edilmiş tion of the Armenians
and the plundering of

olduđu zahir ve their possessions and property.
 mümayan olmuş ve ... The ^{above} ~~over~~ mentioned Executive
 Secretaries organized and
 committed the pillaging
 of possessions and properties.
 They seized by plots the
 possessions and properties
 of the Armenians under ~~the~~
 pretext of creating facili-
 ties for others. All these
 facts are corroborated by
 documentary evidence.

T-Takvim-i Vakayi, No 3772, p. 2, col. 2
 and page 3, col. 1.

1 Constitutional Principle

At the first session of the Turkish Extraordinary Court Martial, Saadeddin Bey, defense attorney of governor Kemal Bey reminded ~~at~~ ~~to~~ the Court of a constitutional principle: High ranking Commanders, cabinet members who had organized and who had issued orders, have to be tried first, and after (them), those who had carried out the orders and instructions. The defense attorney said: "The order to exile Armenians was legalized and approved by the Council of Ministers, and the Sultan ~~approved~~ sanctioned the decision by an imperial edict.

"The officials [of the government] carried out the provisions of the edict communicated

to them. » 1

In addition Defense attorney Saadeddin insistantly ^{pointed out:} ~~precised~~: "These accused [Governor Kemal, and Gendarmerie Commander Major Tevfik Bey] are pitiful officials who carried out the orders they received from their hierarchical superiors.

"First of all the leaders (Ministers and high ranking officials) have to be punished, and then subsequent investigations have to be held in order to determinate the role played by these subordinate officials. » 2

In reply to the defense attorney, the pro

-
- 1- Jamanag, February 6, 1919.
 - 2- La Renaissance, No. 58, February 6, 1919.

1
The Turkish Court Martial in Constantinople delivered a verdict on January 8, 1920, sentencing to various penalties the Executive Secretaries and Delegates of the Union and Progress Party who had organized in the provinces of Anatolia the deportation and massacre of the Armenian population.

+ "Finally they (party leaders) had chosen the local of the General Headquarters of the Union and Progress Party for vital issues of the State and negotiations and signature of agreements and treaties. Therein they previously planned in details the crimes to be committed, specifically the deportations, the plundering and seizure of the possessions and property, and crimes for accumulation of wealth for speculations and exploitations.

"According to the provisory law of Deportation dated May 14, 1915, they used the advantages of deportations for their personal interests. The above mentioned Central Committee of the

Union and Progress Party had formed a network of organizations used for the same purpose: gangs (gete), criminals and mobs, and specifically for the execution of the massacre and extermination of the Armenians and the plundering of their possessions and property.

"The over-mentioned Executive Secretaries organized and committed the pillaging of possessions and properties They seized by plots the possessions and properties of the Armenians under the pretext of creating facilities for others.

"All these facts are corroborated by documentary evidence ... >> 1

1- TAKVIM-1 VAKAYI, official journal, No 3772,
p. 2, col. 2, and p. 3, col. 1.
Verdict.

Barbarous Methods

The Turkish

Existing Government

• Apart from the suggestion contained in my 1916, July 16th, I have found it most difficult to formulate others as to course of action to be followed by our Government. The Department is in receipt of ample details demonstrating the horrors of the anti-Armenian campaign. For many months past I have felt that the most efficacious method of dealing with the situation from an international standpoint would be to flatly threaten to withdraw our Diplomatic Representative from a country where such barbarous methods are not only tolerated but actually carried out by order of the existing Government.

1- National Archives, Washington D.C.

867.4016/297, Constantinople Copenhagen, October 1, 1916, Egan to Secretary of State, Washington, D.C..

ENVER'S Dictatorial order
State Policy

Enver Pasha, Minister of War and Commander-in-Chief of the Ottoman Armed Forces, dispatched a coded Circular to all Army Commanders on April 26, 1915, stating as follows:

Since the Government has decided that the branches of Hinchak, Tashnak, and similar denominations committees both in the capital and provinces will be closed down immediately; that the documents and papers at these branches will be confiscated without being destroyed; that the presidents of these committees, their leaders, active members known by the Government as well as influential and malicious Armenians, will be arrested immediately; that those whose stay in their places of residence is regarded harmful will be made to stay in suitable places and measures taken to prevent their escape; that searches for weapons will be continued in suspicious places; that the suspect.

~~The text constitutes a dictatorial order. There is no question of justice or trial.~~
will be brought before courts martial; cooperation with administrative officials and civil servants as well as immediate responses to their calls for help are hereby demanded.

1- Documents, I, No 25, are Ottoman text p 66, English translation p. 67.

demanded & as a priority.

(Signed/
Acting Supreme
Commander;
ENVER

A	7/1
D	384
F	27-2

شماره نقشه در
 باسره فرغ اندر کار شده
 اند و در
 شماره
 27-2
 209
 13

01xc

[illegible]

محمود
١٠

مجلس حلّی

0-165

صفحه ۲۱۵، ۱۱

DOCUMENT NO: 31

Office of the Acting Supreme Commander
of the Ottoman Army

Section
No: 5832

The Coded Message from Ankara to the Office of
the Acting Supreme Commander

C
33

Secret

[- District governors and section directors reported that about 300 armed Armenians from the villages in the vicinity of Boğazlıyan attacked and burned down Islamic villages near Boğazlıyan of the Maden District and that some other Armenians also attempted to attack the Islamic villages in Boğazlıyan, killing the Muslim population and pillaging the villages. This situation has been reported to the 15 th Division Command in Kayseri and the deployment of the entire Gendarmarie Battalion in Yozgat and the necessary number of gendarmarie forces from other provinces in the afore-mentioned area in order to put down the attackers immediately and by harsh measures if necessary without causing any harm to the population loyal to the government. What will be done and the results will be communicated. 23 July 1915 (10 July 1331)

Acting Commander of the 5 th
Army Corps
Colonel
Halil Recai

Archive No : 1-1
Cabin No : 105
Drawer No : 1
File No : 152
Section No : 384 (680)
Contents No : 27-2

Date 24.7 Fourth Section
To be preserved
24 Jly 1915 Lütfü

باسمہ تعالیٰ اعظم

SECRET

119,5

3	12
4	17

ج - ۱۴ / ۱۴ تاریخ و ۱۴ / ۱۴ هجری قمری
 خدایار و وفایه ملک فاضل قاضی حیدر ...
 بخاریان و غیره ...
 باقیان و کماله حیدر ...
 حیدر ...
 ماضی و اخیر ...
 اشیاء ...
 عهد و عهدی ...
 ...

برخی خود را در وقت زان و سنی
برایند
فراهم

10/15



2402

$$\frac{21}{22}$$

0.10 (1/2)

الحمد لله
 قد اراد بفضله وكرمه ان يخلصني من هذه الدنيا الفانية الى دار الآخرة
 اجمعين

مذہب اسلام

10/23

۱۳۳۱ هجری ۱۰

Double, Crescent (Top S

TO:

Stamp (Supreme Comma
6453

Section : 1-2/15 (

Branch : 4/15 (28)

Second Section

Written to Section.1
Command. Submitted/15

On order of Director
(Signature) Archive

Archive
Cabin N
Drawer
File No
Section
Index N

DOCUMENT NO: 1920 (116) ✓

FIRST ARMY CORPS
COMMAND
1193

27 May
14.5.331 (27 July 1915)

Double, Crescent (Top Secret)

TO THE SUPREME COMMAND

A 300-strong Armenian armed gang emerging in the Nevsehir region within the Army Corps zone, raided the Boğazlıyan village, conducting murders and destruction as reported by cable to the Ministry from Konya Conscription Department on 11/5/331 (24 July 1915). The Second Section of the General Headquarters was informed on the same date by telephone and it was written to the Defence Ministry. Niğde Gendarmerie Command has dispatched sufficient forces to follow up and punish these brutal rebels. No other action of this gang has been reported so far, and it did not clash with the follow-up forces. The Niğde Gendarmerie Battalion has been instructed to intensify the follow-up operation. Further information will be submitted. The Fifth Army Corps also informed. A code-key is requested for classified communications between the First and the Fifth Army Corps in this regard.

First
For Acting/Army Corps Commander
Colonel Fuat

Stamp (Supreme Command Correspondance)
6453

Section : 1-2/15 (28) Dated
Branch : 4/15 (28) Dated

Section: 1-3/3717

Second Section

Written to Section 10 for issuing a copy of the code at Army Corps Command. Submitted/15 (28) dated

On order of Director

Section: 2/13602

(Signature)

Archive No : 1/2

15 July 331 (28 July 1915)

Cabin No : 110

Drawer No : 2

File No : 385

Section No : 1530

Index No : 17

بسم الله الرحمن الرحيم
 في يوم الاثنين ١٤٤١ هـ
 في شهر ربيع الثاني ١٣٣٤ هـ

نصف
 ١٤٤١

بسم الله الرحمن الرحيم
 في يوم الاثنين ١٤٤١ هـ
 في شهر ربيع الثاني ١٣٣٤ هـ
 في يوم الاثنين ١٤٤١ هـ
 في شهر ربيع الثاني ١٣٣٤ هـ
 في يوم الاثنين ١٤٤١ هـ
 في شهر ربيع الثاني ١٣٣٤ هـ
 في يوم الاثنين ١٤٤١ هـ
 في شهر ربيع الثاني ١٣٣٤ هـ

DOCUMENT NO: 1919 (115) ١٧

FIRST ARMY CORPS
COMMAND

Cable : 17228

COPY

According to a cable message just received from Urgüp Conscription Office, a 300-strong Armenian armed gang raided the Boğazlıyan village in Avanos District, murdering the people and destroying and burning the village. According to information based on instant cable communications from Urgüp, Nevşehir, Niğde and Avanos, Niğde only, requested the urgently arming of 250 enlisted men. In this context, instructions have also been issued by the Ministry of Defence as understood from the report of district authorities. The Niğde Conscription Office has been immediately instructed to promptly conscript and turn over to Niğde Gendarmerie Command 250 enlisted men. Civil Administration authorities have also been informed. 10/11 July 331 (23/24 July 1915)

Konya Conscription Department

Head

Ziya X

Archive No : 1/131
 Cabin No : 149
 Drawer No : 4
 File No : 2287
 Section No : 11
 Index No : 3-1

SECRET INSTRUCTIONS

"President - Certain Executive SECRETARIES and DELEGATES representing the Committee of the Union and Progress Party in the provinces and districts, communicated Valis and Mutessarifs, and Nail Bey, Behaeddin Shakir Bey communicated to Zemal Azmi Bey, Governor General of Trebizond secret instructions. And among Valis and Mutessarifs those who refused to carry out such instructions were immediately released from their office.

"How can this be interpreted? ...

"For example Mazhar Bey Vali of Ankara, was next day discharged from his office because he rejected to carry out the secret orders, Atif Bey, who communicated the secret instructions replaced him. All this took place within one day. 11

1 - Takvim-i Vakayi, No 3557, 6th session, May 14, 1919, published May 25, 1919; page 106, col. 2.

The absolutism of the Union and Progress Committee

It is evident from the above mentioned explanations that the Committee adopted extreme measures with a firm resolution to achieve without failing all its tyrannic goals and intentions, and it was successful ~~to in~~ ^{ing} using use and Selfimpliment^{ing} the form of a government, planned and established a tyrannical behaviour between the authorities of the State, and thus erected a government ~~in~~ ^{within} the Government. So, it brought ⁱⁿ to existence a secret and irresponsible powerful form by moral and physical tyranny through ~~absti-~~ ^{obstinate} ~~nacy~~ monarchical ruling. 221

1. Takvim-i Vakayi, ^{Turkish} official journal, No 3771, p. 131.

↑
An extensive

↑ Pamphlet published by Turkish authorities
justifying deportation and massacre

« Emeni Komitelerinin amel ve harakiat-ı ihtilaliyesin ilan-ı Mesrutiyetiyetten evvel ve sonra », published in Constantinople 1916 and distributed to the governments who still were not engaged in ^{the} World War. This book in Turkish Osmanli contains 333 pages, and in addition 146 pages of photostatic so called documents.

The same volume ^{of pamphlet} was translated into French, ~~on 1917~~ published by Turkish Authorities ~~on~~ ⁱⁿ 1917 and delivered to all governments of ~~the~~ ^{the} world over the world: « Aspirations et Agissements Révolutionnaires des Comités Arméniens avant et après la proclamation de la Constitution Ottomane », Constantinople 1917, pages 1-416, and photostatic copies ^{plus}, pages 1-146.

2 1

truncated

See the Law of Deportation ~~distorted~~ on page 238 in foot-note, Turkish Osmanli. X

See the same Law of Deportation in French translation, in foot-note page 316: "La loi du 14 Mai 1915 sur le déplacement des personnes suspectes contient les dispositions suivantes."

Babies, and children about five years old, more than 200,000 were all suspects according to the Turkish Authorities.

Enver Pasha, Minister of War, dispatched a tele circular No. 6432, dated July 14, 1915, to the Army Commanders, to collect monthly and send ~~it~~ to the War Office the Armenian activities, and any documents that can justify ~~our~~ before the civilized World the measures we are taking against Armenians ... 1

Documentary

- 1- "History of the Armenocide in Yozgat,
by Kriege, New York, 1980, p. 151-152.

X

Atif Bey, Acting Vali of Ankara, received a secret telegram from Talaat Bey, Minister of the Internal Affairs, No 504, dated August 9, 1915, asking to send him a report concerning the Armenian activities or documentary evidence from the mobilization [July 21, 1914].

1. Krieger, p. 157-158, telegram of Atif to Khalil Rejai

The absolutism
of the Union and Progress
Committee

It is evident from the above mentioned explanations that the Committee adopted extreme measures with a firm resolution to achieve without failing all its tyrannic goals and intentions, and it was successful ~~to in~~ ^{using} use and Selfimpliment^{ing} the form of a government, planned and established a tyrannical behaviour between the authorities of the State, and thus erected a government ~~in~~ ^{within} the Government. So, it brought ⁱⁿ to existence a secret and irresponsible powerful form by moral and physical tyranny through ~~abstinate~~ ^{obstinate} ~~nacy~~ monarchical ruling. 221

1. Takvim-i Vakayi, ^{Turkish} official journal, No 3771, p. 131.

payments effectuated of these sums for expenses and debts
will be registered ^{as a} to the credit.

Mode of Registration
and use of registers of the current account
of Abandoned goods

This register is prepared so ^{that} (as) it may show the cash
moneys, goods deposited and assets, ^{from} the sums obtained of
the ^{sale of} assets and amounts of movable goods and immovable
property abandoned by ~~persons~~ deported persons, ^{or} and which
had been collected, ^{over} recuperated, collected by the Commis-
sions and passed, as deposit, ⁱⁿ to the Public Treasuries, the
debts ascertained and which have been submitted to the
examination in order to distinguish (diff differentiate)
those privileged ^{iated} of those which are not privileged ^{iated},
as well as details of expenses necessarily agreed for
abandoned goods.

According to the ^{basic} essential rule, the opposite pages
of the register will be considered as one page. Each page
will be divided into four tables. On the top, after having
indicated the ward or village to which the deported per-
sons belong and in which they are registered, must be men-
tioned the name, ^{first family name} ~~prerame~~, number of dossier belonging to
him and which is preserved with the administrative Com-
mission ^{for} of abandoned goods. The table will be filled up ⁱⁿ
as follows:

states

First Table:

It is divided into 13 columns. As ^{can be} ~~it is~~ understood also ^{from their} ~~by the indication~~ of titles, in the first one of these columns, will be inserted the amounts realized as to the nature of abandoned goods and as the registrations effectuated in ~~the~~ columns No. 3-8, in the 9th column, the date of the operation, in the 10th, 11th and 12th columns, the quantity of abandoned goods and, as to the ^{net proceeds} ~~realization~~, the number, date and kind; in the 13th column, will be given necessary explanations. ↑

Table 2:

This table being identical to the first table, will show the sums that have been claimed and collected of realizations registered in the first table and transferred as deposit to the Public Treasury; the dates and numbers of receipts and certificates obtained against registrations in the necessary columns after the nature of abandoned goods. The payments will be indicated in their special columns.

Table 3:

In this table will be indicated the debts which have been examined by the Commissions and found legally worthy to be taken into consideration. As to the debts, privileged or non-privileged, they will be separated and two parties will be registered ~~and two~~

~~parties will be registered in their respective columns;~~
 the number, date and nature of documents on which they
 are based, will also be indicated in their special columns.
 The necessary explanations will be given in the 9th co-
 lumn.

Table 4:

It is for the registrations of sums that will
 be paid necessarily for the transports and preservation
 of abandoned goods, until they will be regularly sold
 and transformed into cash money. The payments thus effec-
 tuated and documents on which they are based will be re-
 gistered in their special columns following the indica-
 tions at a head.

The register of current account of abandoned goods:

Ward or village

Name and first name

Number of dossier

Table 1: Abandoned goods and realizations

1. Number of order
2. Total of abandoned goods
3. Cash money
4. Debts
5. Creances
6. The amounts of abandoned goods sold

The amounts of immovable abandoned goods

7. Pious Foundations delivered to the Treasury of
Pious Foundations

8. Property transferred to the Public Treasury

Basic documents (of support)

9. Date of operation

10. Number

11. Date

12. Nature

13. Explanations

Table 2: Collections made of abandoned goods and

products and paid, as deposit, to the Pub-
lic Treasury and Pious Foundations

1. Number of order

2. Total of abandoned goods

3. Cash money

4. Debts

5. Creances *credits*

6. The amounts of abandoned goods sold.

The amounts of immovable abandoned goods

7. Pious Foundations tranferred to the Treasury
of Pious Foundations

8. Property transferred to the Public Treasury

Basic Documents

9. Date of operation
10. Number
11. Date
12. Nature
13. Explanations

Table 3:

1. Number of order

Realizations

2. Total
3. Privileged
4. Non-privileged

Basic Documents

5. Date of realization
6. Number
7. Date
8. Nature
9. Explanations

Table 4:

1. Number of order
2. Expenses paid
3. Date of payment

Basic Documents

4. Number

5. Date

6. Nature

7. Explanations

Law
New Regulations Regarding the Abandoned Goods,
Commissaires of the
Promulgated by Ankara Government, August 1926.

Article 1

In accordance with ~~the~~ clauses ~~of the~~ Treaty of Lausanne relating to Minorities, there is no ~~more~~ *longer any* need to practice seizure ~~on the~~ Abandoned Goods *beginning* starting August 6, 1924, date ~~of~~ *when* ~~the~~ *has he* aforesaid Treaty going into force.

Article 2

If the seizure has been *effected* ~~operated~~, that is to say, if the existence of an abandoned good has been officially brought to the knowledge of the Government before August 6, 1924, the formal procedure in question will be completed.

Article 3

If the seizure has been practiced, that is to say, the existence of an abandoned good has been brought officially to the knowledge of the Government after August 6, 1924, the formal procedure will be applied as follows:

a/ If the owner of ~~these~~ *these* properties, is at the same place ~~where~~ his property is located, this property will be restituted to him; if he is not at the same place and *he* ~~is~~ is represented by a proxy, the property in question will be delivered to that proxy. If he has no proxy, the State will administer it for the account

of the owner in accordance with the common right.

b/ If such abandoned property has been reserved or rented to immigrants, the price of this possessions, starting at the date ~~when~~ it was disposed of, estimated by the Administrative Council taking in ^{to} account the ^{existing} price in practice (usual) in the place where the property is located, for the sales ~~cash~~ ~~and~~ of property in cash, will be paid to the owner.

c/ If these properties have been sold, the owner cannot receive the purchase price ^{except under} but in the conditions the sale had been effected. If the owner does not ~~even consent~~ agree, he has the right to apply to justice court to obtain a judgement in accordance with the common right.

Article 4

It has been considered ~~as~~ inadmissible that the laws concerning the liquidation of ~~the~~ Abandoned Goods be applied to the possessions of ~~the~~ persons who had buildings or lands ^{in other places} elsewhere than the locality ^{from which} where they are, and ^{from} which they had ~~not~~ ^{neither} escaped from, ^{nor} neither they had disappeared, and ^{nor were} are not absent from ^{which}.

If, consequently, there had been such cases because of an erroneous interpretation of the law, ^{as} if for example, ^a seizure has been practice ^d on the properties located out ^{side} of Constantinople and ~~belonging~~ to a person born in (Constantinople), resident ^{+ entered} and registered in the ^{Civil Registry} State of Constantinople and who has not been absent ^{there} from, it is necessary and indispensable to proceed

3

to ~~the~~^a rectification of the error committed and to the restitution of the possessions in question.

The Council of Commissioners is authorized to deny Turkish citizenship to Ottoman subjects who, during the War of Independence, did not participate in the national struggle, and who, remaining in foreign countries, did not return to Turkey from July 23, 1923 until the promulgation of the present law.

Those who opted for Turkish nationality, in accordance with Treaties already in force, are excepted.

1

At Sèvres and Lausanne, the Turkish Government signed treaties that no civil or military laws or regulations could be published by Turkish Authorities against principles accepted as fundamental laws.

Treaty of Sèvres: Articles 140-147

Treaty of Lausanne: Articles 37-44.

Transliteration

from Turkish Osmanli in Arabic
characters into Modern Turkish
in Latin characters.

A l l a h

Babîâli

Dahiliye Nezareti

Emniyeti Umumiye Müdüriyeti

Şifre Mahlulu Sureti.

Ahalisi dahile sevkolunan
karadan bazılarında ahali-i
İslâmiyenin Ermenileri gizildik-
leri anlaşılmaktadır.

Mukarrerât-ı Hükûmet hila-
fında olarak Ermenileri hanelerinde
ifa ve muhafaza eden hane sahip-
lerinin haneler önünde idam-ı ve
hanesinin ihrak-ı muktazidir.

Bu hususun lâzım gelenlere
sureti munasibede tebliğ u tamim
ile sevkedilmemiş hiç bir Ermeni
bırakılmamasına itina olunması
ve icraatınızda malûmat itası.

İntida eden Ermeniler dahi
sevkedilecektir.

English Translation

of the Coded Circular
of Mahmud Kiamil Pasha,
Third Army Commander-in-Chief.

G o d

Sublime Porte

Department of Internal Affairs

Director of Public Security

Copy of decoded telegram

We have learned that certain
Moslems are protecting Armenians in
areas where the people are being
exiled to the interior.

Being against the decision of
the Government, the Moslem home-ow-
ners, who dare provide protection
for them in their houses must be
killed before their homes and it
would be necessary to burn their
houses.

Communicate this order in a
suitable manner and bring it to the
attention of whomever it may concern,
taking care that not a single Arme-
nian be save from exile.

Those Armenians who changed their
religion, will also be exiled.

Tesahup edenler ciheti
askeriyeden iseler, birhal
vekâletlere ihtibarıyla badehu
mahkemelere icra edilmek üzere,
hemen nisbeti askeriyelerinin
kat'ı, ve ciheti mülkiyeden ise-
ler, hemen azıllarıyla bera-i
mahkeme divan-ı harba tevdiği.

10 Temmuz 331.

Üçüncü Ordu Kumandani:

Mahmut Kâmil.

Mahremane ve fakat bahsı
istismalarla yazılması.

12 m. (Minhu)

Yazılmıştır.

12 m. (Minhu)

Aslına mutabıktır.

23 Şubat 335

(MÜHÜR)

Emniyeti Umumiye Kalemi
Mahsus Müdüriyeti.

Those who try to protect them,
if they are in military service, will
be stripped of their rank, brought to
court immediately, and the commanders
are to be informed; if they are civil
officials, they must be immediately
dismissed from office and tried by a
court martial.

July 10, 1915.

The Commander of the Third Army:

Mahmud Kiamil.

To be written secretly as usual, but
with discernment.

12 current /July 12, 1915/.

Written.

12 current /July 12, 1915/.

Legalized copy conform to the original.

February 23, 1919.

(SEAL)

Special Office of the
Superintendent of Public Security.

Signature/ illegible

Quotation
of the Coded Circular
of Mahmud Kiamil Pasha
in the Turkish Official Journal, No 3540.

^{Liter}
Transcription
in Modern Turkish

English
Translation

Bir Ermeni tesahup edecek
bir Müslümanın hanesi önünde idam,
ve hanesi ihrak, ve himayeye reva
görenler ciheti askeriyeden iseler,
nöbeti askeriyelerinin kat'ı ile,
bera-i muhakeme mezkür divan-ı
harblarda tevdi olunmasına müte-
dair, Üçüncü Ordu Kumandanı Mahmut
Kâmil inzalı telgraf (tertip 13,
vesika 1).

A Moslem who dares protect
an Armenian, will be killed
before his home and his house
will be burned; if those who
think that [Armenians K.]
deserve to be protected, are
officials, ^{they} will be dismissed
and brought to the court martial;
if they are in military service,
^{they} will be stripped of their rank
and brought to the military
court. The Third Army Commander
has signed ^{the} a telegram. (Item 13,
document 1).

Suleyman Faik Pasha, Military Commander ^{at} ~~of the place~~
Harput, answered the questions of the Court Martial and
revealed that he had in his possession all the telegrams of
Mahmud Kiamil Pasha ordering ^{the} ~~the~~ massacre of Armenians.